

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35261 of 2023

Arising Out of PS. Case No.-14 Year-2023 Thana- GHOSWARI District- Patna

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Anil Yadav son of Sri Deo Nandan Yadav Village- Malpur Ps- Ghoswari
(Samyagarh) Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Manglam, Advocate

For the Opposite Party/s : Mr.Choubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Ghoswari (Samyagarh) P.S. Case No. 14 of 2023 registered on 19.01.2023 for the alleged offences under Sections 25(1-b)a/26 of the Arms Act.

3. As per prosecution case, police received information about petitioner and other co-accused persons indulging in robbery and a raid was conducted on the house of the petitioner and he was apprehended and from his possession five live cartridges were recovered apart from two mobile phones.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. Nothing incriminating has been recovered from the person or possession of the petitioner and recovery shown was planted by the police and the recovered mobiles from the possession of the petitioner belong to him. The petitioner is in custody since 20.01.2023 and charge sheet has been submitted. Though the petitioner is accused in two other cases but he is on bail in both the cases.

5. Learned APP opposes the prayer for bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Barh, Patna /concerned court in connection with Ghoswari (Samyagarh) P.S. Case No. 14 of 2023, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and



every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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