

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45115 of 2022

Arising Out of PS. Case No.-143 Year-2022 Thana- NAUGACHIA District- Bhagalpur

Shambhu Yadav Sonof Baijnath Yadav Resident Of Village - Laxmipur, P.S.-
Ismailpur, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-01-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 399, 402 of the Indian Penal Code and Sections 25(1-b)A, 26,35 of Arms Act.

The prosecution case in nutshell is that informant, being a police official, got a secret information that accused persons of Naugachia P.S Case No. 136 of 2022 were assembled for another crime. It is alleged that during raid, petitioner along with other two



persons were arrested on spot. In search, a loaded country made pistol and one live cartridge were recovered from the possession of co-accused Rohit Kumar.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is also submitted that petitioner is languishing in judicial custody since 04-06-2022. It is further submitted that neither Arms not cartridges has been recovered from the possession of the petitioner and he was arrested merely on the basis of suspicion. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named



petitioner is directed to be enlarged on bail in connection with Naugachia P.S. Case No. 143 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., 1st, Naugachia, Bhagalpur.

(Sunil Kumar Panwar, J)

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