

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54089 of 2023

Arising Out of PS. Case No.-122 Year-2022 Thana- CHANDAUTI District- Gaya

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1. MITHILESH YADAV @ MITHILESH KUMAR Son of Ramanand Yadav
Resident of village - Agraili, P.S. - Chandauli, Distt. - Gaya, Bihar
 2. Satyendra Yadav Son of Mahesh Yadav Resident of village - Agraili, P.S. -
Chandauli, Distt. - Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhaneshwar Prasad Gupta, Adv.
For the State	:	Mr. Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 01-09-2023 Heard learned counsel for the petitioners as well as
the learned APP for the State.

2. The petitioners apprehend their arrest in
connection with Chandauti P.S. Case No. 122 of 2022,
registered for the offences punishable under Sections 25(1-b)a,
26, 35 of the Arms Act.

3. As per allegation, the police received information
that two groups of people were fighting. When the police
reached at the place of occurrence, they apprehended the co-
accused person and four live cartridges were recovered from his
possession. One country-made pistol was also recovered from
his *toto* rickshaw. Further, the police seized four motorcycles
kept at the place of occurrence and from the dickey of a



motorcycle bearing registration no. BRO2AK-0604, one live cartridge was recovered.

4. The learned counsel for the petitioners has submitted that nothing was recovered from possession of the petitioner. His name has figured in confessional statement of Akhilesh Yadav. Except that, there is no incriminating material against the petitioner. So far as, petitioner no. 2 is concerned, he has been made accused merely because his motorcycle was parked near the place of occurrence. On the similar footing, co-accused person has been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No. 51310 of 2022.

5. Considering these facts and circumstances, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M-VI, Gaya, Bihar in connection with Chandauti P.S. Case No. 122 of 2022, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

Kundan/Nirmal

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