

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48081 of 2023**

Arising Out of PS. Case No.-209 Year-2022 Thana- ALOULI District- Khagaria

Rajesh Yadav @ Rajesh Kumar @ Kutwa S/O Nageshwar Yadav @ Nago  
Pahalwan R/O Village- Alauli, P.S- Alauli, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Yogendra Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      04-08-2023                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 307, 353 of the Indian Penal Code and Sections 25(1-b)a, 26, 27, of the Arms Act.

As per prosecution case, the petitioner was apprehended on the spot and from his possession two country made pistols and out of 14 cartridges three miss fired and 11 live cartridges were recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to high handedness



of police officials. The petitioner has no concern with the alleged recovery and the seizure list has not been prepared as per provision of Section 100 of the Cr.P.C.. It is further submitted that the petitioner is languishing in judicial custody since 19.05.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Alauli P.S. Case No. 209 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Khagaria.

**(Sunil Kumar Panwar, J)**

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