

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49071 of 2023**

Arising Out of PS. Case No.-154 Year-2023 Thana- WARISNAGAR District- Samastipur

Vikash Kumar Yadav @ Vikash Kumar S/O Kanhai Yadav @ Kanhaiya Kumar @ Kanhaiya Yadav Resident Of Village- Dharmpur, P.S.- Rosera, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 17-08-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Warisnagar P.S. Case No. 154 of 2023 dated 03.05.2023 registered for the offence punishable u/s 414 of the Indian Penal Code and Sections 25(1-B)a, 26 and 35 of the Arms Act.

4. As per the prosecution case, the police personnel apprehended the petitioner and the co-accused and on search, a mobile phone was recovered from the possession of the



petitioner. It is further alleged that petitioner was seen having a pistol in his hands and one loaded country-made pistol and a mobile phone were recovered from possession of the co-accused Kanhaiya Kumar.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 05.05.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur in connection with Warisnagar P.S. Case No. 154 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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