

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53632 of 2022**

Arising Out of PS. Case No.-345 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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RITESH KUMAR DEVENDRA YADAV @ DEBU YADAV Resident of
Village-Rajapur P.S.-Muffasil(Singhaul O.P.) District-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Randhir Kumar No.1, Advocate
For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 20-01-2023 Heard the learned counsel for the

petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Begusarai Mufassil P.S. Case No. 345 of 2022, registered for the offences punishable under Sections 399, 402 and 34 of the Indian Penal Code and Sections 25(1-B)A, 26 and 35 of Arms Act.

The allegation is regarding the informant, who was posted at Singhal (O.P) having received confidential information on 02.07.2022 at 2:30 A.M. in the night that 8-10 criminals had assembled at the Machaha Orchard for committing



some crime, whereafter he along with his police force had reached at the said Machaha Orchard and had found some criminals sitting there, whereupon five miscreants were arrested and some arms/cartridges, etc. were recovered.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 02.07.2022. The learned counsel for the petitioner has further submitted that as far as the petitioner is concerned, no recovery of any illicit arms/ ammunition has been made and he has been falsely roped in the present case.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that no illicit arms/ ammunitions have been



recovered from the possession of the petitioner, apart from the fact that he is having a clean antecedent and is languishing in custody since 02.07.2022, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Begusarai Mufassil P.S. Case No.345 of 2022.

(Mohit Kumar Shah, J)

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