

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56932 of 2022

Arising Out of PS. Case No.-73 Year-2022 Thana- MALI District- Aurangabad

MITHLESH KUMAR YADAV Son of Lalit Yadav R/V- Noniya Bigha, P.S-
Nabinagar, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priya Ranjan

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-01-2023 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 25(1-b)a, 26 of the Arms Act.

Prosecution case relates to recovery one country made pistol from a motorcycle bearing Registration No. BR26Q-0349 and the said motorcycle was being plied by the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted vide para 7 of the petition that the recovery is said to be made from the motorcycle which belongs to the petitioner but the petitioner has no concern with the country made pistol. Nothing



incriminating article has been recovered from the conscious or constructive possession of the petitioner. The petitioner is languishing in judicial custody since 21.7.2022.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mali P.S. Case No. 73 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 Additional Chief Judicial Magistrate 1st Aurangabad.

(Sunil Kumar Panwar, J)

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