

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59482 of 2023

Arising Out of PS. Case No.-197 Year-2020 Thana- NAUTAN District- West Champaran

PATIRAJ YADAV @ PRITHVI RAJ @ PRITHVI YADAV Son of Late
Saryug Yadav Resident of village - Siswa (Khairatiya), P.s. - Taraiya Sujan,
Distt. - Kushinagar (Uttar Pradesh)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 25(1-b)a, 26 and 35 of Arms Act and Sections 30, 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of one country made pistol along with one live cartridge and 57 liters of illicit liquor from the bank of the river situated behind the Bhagwanpur School.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Neither the petitioner was



apprehended on spot nor any incriminating article has been recovered from his conscious possession. Only on the basis of confessional statement of apprehended co-accused person, he has been dragged in this case. He has no concern with the alleged recovery. Moreover, he is languishing in judicial custody since 05.07.2023.

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

6. 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 Nautan P.S. Case No. 197 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise, Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

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