

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59751 of 2022

Arising Out of PS. Case No.-465 Year-2022 Thana- SIRDALA District- Nawada

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BIPIN KUMAR @ BIPIN YADAV S/O MAHENDRA PRASAD @
MAHENDRA YADAV Resident of village- Chhomuha, P.S.- Sirdala, District-
Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bharat Lal, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in
connection with Sirdala P.S. Case No. 465 of 2022
for the offence registered under Sections 25(1-B)a,
26 and 35 of the Arms Act.

The allegation is regarding the police force
having raided the house of the accused persons
including the petitioner herein and one loaded
country made pistol and one live cartridge was
recovered.

The learned counsel for the petitioner has
submitted that the petitioner is innocent, he has



been falsely implicated in the present case and he is languishing in custody since 07.08.2022. The learned counsel for the petitioner has further submitted that though the petitioner is an accused in two other cases but he is on bail in one of the said two cases. It is also submitted that the illicit country made pistol/live cartridge has been recovered from a place belonging to the petitioner and two other co-accused persons, hence the petitioner cannot be solely held responsible for recovery of the said country made pistol/live cartridge.

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 the country made pistol/live cartridge has been recovered from the house stated to be in joint possession of the petitioner and two other co-



accused persons, though I deem it fit and proper to admit the petitioner to the privilege of bail but immediately upon completion of six months' custody, provided, he is not wanted in any other case, subject to such conditions as may be deemed fit and proper to be imposed by the learned court of Judicial Magistrate-1st Class, Nawada in connection with Sirdala P.S. Case No. 465 of 2022.

The petition stands disposed off with the aforesaid observations and directions.

(Mohit Kumar Shah, J)

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