

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62826 of 2023

Arising Out of PS. Case No.-113 Year-2023 Thana- SHANKARPUR District- Madhepura

BIPIN KUMAR YADAV Son of Dasrath Yadav R/o vill - Maura Baghla,
ward no. 8, P.S. - Shankarpur, Distt. - Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 25(1-B)a, 26 of Arms Act.

3. Allegedly, petitioner is said to have involved in the illegal business of arms as one country made masket, one counter made pistol and one live cartridge have been recovered from his premises.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather



general and omnibus in nature. The house of the petitioner is inhabited by his several family members and he had no knowledge of keeping of the seized articles in the house. It is further submitted that neither any search and seizure was done in accordance with law nor any mandatory provision of 100 Cr.P.C. was followed. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Shankarpur P.S. Case No. 113 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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