

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60430 of 2022

Arising Out of PS. Case No.-120 Year-2022 Thana- BAUNSI District- Banka

NIRANJAN KUMAR YADAV Son of Kamalkant Yadav Resident of village -
Doma Bazar (Dumabajan), P.S.- Chandan, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in
connection with Bounsi P.S. Case No. 120 of 2022
registered for the offences punishable under
Sections 25(1-b)a, 26 and 35 of the Arms Act.

The case of the prosecution, in brief, is that
the informant, who is S.I., posted at Bounsi Police
Station, received a secret information that some
miscreants had assembled on the field behind C.N.D.
High School near Bounsi Bazar for committing some
offence, whereafter the informant along with his
police force had reached at the alleged place of
occurrence and had caught three miscreants,



whereupon search was made and arms and cartridges were recovered. As far as the petitioner is concerned, two live cartridges were recovered from his possession.

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 30.05.2022. The learned counsel for the petitioner has further submitted that though the petitioner is an accused in one another case but he is on bail in the said case. It is also submitted that similarly situated co-accused person has already been granted bail by a Co-ordinate Bench of this Court vide order dated 23.12.2022 passed in Criminal Miscellaneous No. 59241 of 2022.

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 parity of the



case of the petitioner with that of the co-accused person who has been granted bail by this Court as also considering the period of incarceration of the petitioner herein, 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, Banka in connection with Bounsi P.S. Case No. 120 of 2022.

(Mohit Kumar Shah, J)

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