

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.67827 of 2023**

Arising Out of PS. Case No.-306 Year-2023 Thana- RAJAON District- Banka

Binod Yadav Son Of Abhay Yadav Resident Of Village- Sarbhukitta, Police  
Station- Rajoun, District- Banka

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      01-11-2023                      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 the Arms Act.

3. Prosecution case relates to recovery of one country made pistol along with one live cartridge from the possession of the petitioner.

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 due to his criminal antecedents. There is no independent witness of the seizure list which violates the provision of section 100 Cr.P.C. Moreover, the petitioner is languishing in judicial custody since



24.06.2023.

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 Rajoun P.S. Case No. 306 of 2023 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.

**(Sunil Kumar Panwar, J)**

Shubham/-

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