

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79830 of 2023

Arising Out of PS. Case No.-58 Year-2023 Thana- BHAPTIAHI District- Supaul

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Bibhesh Kumar Yadav @ Vibhesh Kumar Son Of Yogendra Yadav @
Yogendra Prasad Yadav Resident Of Village - Nauwabakhar, P.S. - Kishanpur,
District - Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-12-2023 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, 35 of the Arms Act, 1989.

3. As per the prosecution case, the allegation is of recovery of illegal arms with loaded cartridge from the possession of co-accused and the petitioner managed to run away from the spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner's name surfaced in this case on the basis of disclosure made by apprehended co-accused persons. Petitioner has no criminal



antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the fact that the petitioner has no criminal antecedent, 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 Bhaptiyahi P.S. Case No. 58 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. However, the learned Court below is directed to verify the criminal antecedent of the petitioner before accepting the bail bond. If it is found that the petitioner is involved in any other case prior to the present case, his bail bond shall not be accepted.

(Anjani Kumar Sharan, J)

anand/-

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