

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75645 of 2023

Arising Out of PS. Case No.-173 Year-2023 Thana- PHULWARIYA District- Gopalganj

SURESH YADAV @ SURESH KUMAR SON OF SWAMINATH
CHAUDHARY @ SWAMINATH YADAV RESIDENT OF VILLAGE -
JATAHA, P.S. - PHULWARIYA, DISTRICT - GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyanka Singh, Adv.

For the Opposite Party/s : Mr.Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 13-12-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Phulwariya P.S Case No. 173 of 2023 dated 19.05.2023 registered for the offences punishable u/ss 25(1-b)a/26/35 of the Arms Act.

3. As per the prosecution case, one loaded country made katta and a mobile phone were recovered from the co-accused Santosh Yadav. It is further alleged that the petitioner is indulged in illegal business of liquor.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The name of the petitioner was disclosed by the co-accused, Santosh



Yadav. Nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from the co-accused Santosh Yadav hence, no case is made out against the petitioner. The petitioner has one criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Gopalganj in connection with Phulwariya P.S. Case No. 173 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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