

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72326 of 2022

Arising Out of PS. Case No.-164 Year-2022 Thana- KASIMBAZAR District- Munger

HARSHVARDHAN YADAV @ HARSHVARDHAN S/o Krishna Prasad
Yadav R/o Village- Ghoshitola, P.S.- Kashimbazar, Distt- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Patel, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-04-2023 Heard learned counsel appearing on behalf of the parties.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with Kasimbazar P.S. Case No. 164 of 2022 registered for the offence under Sections 25(1-b)a, 26(i)(ii) and 35 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in custody since 19.06.2022.

The allegation against the petitioner is to have in possession of one country made pistol loaded with empty cartridge and one live cartridge inside his pocket.

Learned counsel appearing on behalf of the petitioner submitted that petitioner implicated falsely and recovery of alleged firearms not appears to made from his conscious physical



possession. It is also pointed out that seizure list is doubtful as same is not supported by the independent witness, rather by police personnels. While concluding the argument, it is submitted that petitioner found involved in one more criminal case, where, he is on bail and moreover, investigation of this case has completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above and by taking note of fact as seizure list is not supported by independent witness rather by police personnels, where, petitioner is in custody since 19.06.2022 coupled with the fact that charge-sheet has already submitted, let the petitioner, above named, is directed to be released on bail in connection with Kasimbazar P.S. Case No. 164 of 2022, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge 2nd, Munger/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Katyayan/-

U		T	
---	--	---	--

