

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78720 of 2023

Arising Out of PS. Case No.-658 Year-2023 Thana- KHAGARIA District- Khagaria

Rup Chandra Yadav Son Of Late Chhitan Yadav R/O Village- Gangiya Police
Station- Gangour, Dist.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Advocate
For the State : Mr. Syed Mojibur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Khagaria Gangour P.S. Case No. 658 of 2023 instituted for the
offence under Sections 307, 353/34 of the Indian Penal Code
and 25(1-b)a, 26, 35 of the Arms Act.

3. On secret information, police came near *Gahtara
Bandh*, where five culprits fled away after seeing police and
resorted to open firing. One of the five culprits, namely, Rup
Chandra Yadav (petitioner) was apprehended and five live
cartridges were recovered.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 02-07-2023. Petitioner



bears three criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. No arms and ammunition was recovered from his conscious possession. Charge-sheet has already been submitted in this case. From perusal of the lower court order, it appears that no one has sustained injury.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, charge sheet having been submitted and nature of implication, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Khagaria Gangour P.S. Case No. 658 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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