

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82 of 2023

Arising Out of PS. Case No.-687 Year-2022 Thana- MALSALAMI District- Patna

RAJESH YADAV Son of Sachchidanand Prasad R/o Mohalla- Rikabganj,
P.S.- Malsalami, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Krishna Jha, Advocate

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-02-2023 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection
with Malsalami PS case no. 687 of 2022 instituted for the
offences punishable under Sections 25(1-b)a, 26, 27, 35 of Arms
Act.

The allegation is regarding recovery of one pistol
and 06 live cartridges from the rental house of the petitioner.

The learned counsel for the petitioner submits
that the petitioner is innocent, has been falsely implicated in the
present case and is languishing in custody since 01.12.2022. The
learned counsel for the petitioner has further submitted that the
petitioner is accused in five other cases but he is on bail in the
said cases. It is also submitted that considering the period of



incarceration of the petitioner, a sympathetic view may be taken.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and appropriate to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of A.C.J.M.-I, Patna City in connection with Malsalami PS case no. 687 of 2022.

(Mohit Kumar Shah, J)

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