

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80052 of 2023

Arising Out of PS. Case No.-435 Year-2023 Thana- CHIRAIYA District- East Champaran

Akhilesh Yadav @ Akhilesh Kumar Son Of Chandeshwar Roy @
Chandeshwar Ray Resident Of Village- Shyam Bakhari, Ps- Dhaka, Dist- East
Champaran At Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar

For the Opposite Party/s : Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under section 414 of the Indian Penal Code and sections 25(1-b)a, 26 and 35 of the Arms Act.

3. Prosecution case relates to recovery of one country made pistol with live cartridge from petitioner and one another live cartridge was recovered from co-accused Bichari Yadav. Both accused persons were apprehended on spot with one motorcycle.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. The



seized motorcycle belongs to petitioner himself and supportive documents is being annexed as Annexure-P/2. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. Petitioner has got no criminal antecedent and languishing in judicial custody since 18.09.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail **after framing of charge**. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, East Champaran at Motihari in connection with Chiraiya P.S. Case No. 435 of 2023.

(Sunil Kumar Panwar, J)

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