

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7810 of 2024

Arising Out of PS. Case No.-237 Year-2021 Thana- KHARIK District- Bhagalpur

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Gaurav Yadav S/O Nand Kishore Yadav @ Nand Kishor Yadav R/O Village-
Naya Tola, Bhawanpura, P.S- Kharik, Distt.- Bhagalpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Pawan Kumar
For the Opposite Party/s : Mr.Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 25(1-B)a, 26 and 35 of
the Arms Act and Sections 20 and 22 of the NDPS Act.

3. As per prosecution case, on receiving a secret
information that one person kept illegal weapon with him
thereafter the police personnel reached at that place. One person
apprehended and there have been recovery of one loaded



country-made pistol, nine live cartridges and 325 gm *Ganja* from the possession of co-accused Sintu Yadav.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner was not apprehended on spot. The name of the petitioner has come into light on the basis of disclosure by local villagers, which has got no evidentiary value in the eyes of law. The as alleged incriminating articles have been recovered from the possession of co-accused Sintu Yadav and also on his instance recovered from another place, not from the possession of this petitioner and this fact is also evident from the perusal of the FIR. Only on the basis of suspicion and due to his criminal antecedents, petitioner has implicated in the present case by the police. He further submitted that charge has already been framed against the petitioner. He is languishing in judicial custody since 08.03.2022.

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 as well as the period of custody, this court is inclined to enlarge the petitioner on bail. 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 Additional Sessions Judge 1st, Naugachia, Bhagalpur in connection with Kharik P.S. Case No. 237 of 2021.

(Sunil Kumar Panwar, J)

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