

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11064 of 2024

Arising Out of PS. Case No.-289 Year-2023 Thana- SHAMBHUGANJ District- Banka

1. Bhothary Yadav S/O Late Chotelal Yadav R/O Village- Asauta, P.S- Shambhuganj, Distt.- Banka.
2. Kashier Yadav @ Keshiyar Yadav S/O Bhothary Yadav R/O Village- Asauta, P.S- Shambhuganj, Distt.- Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devika Rani

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 25(1-b)a, 26, 35 of Arms Act.

It is a case of recovery of one country made pistol, two live cartridges and one country made Masket from the possession of the petitioners.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have falsely been implicated in the present case due to high



handedness of police. There is no independent witness of the alleged seizure. The petitioners have no concern with the alleged recovery. Moreover, the petitioners are languishing in judicial custody since 20.10.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners is directed to be enlarged on bail, **after framing of charge, if not framed**, in connection with Shambhuganj P.S. Case No. 289 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Banka.

(Sunil Kumar Panwar, J)

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