

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.8326 of 2024**

Arising Out of PS. Case No.-164 Year-2023 Thana- CHAUTHAM District- Khagaria

Subodh Yadav, son of Kapleshwar Yadav, Village- Soharwa, Ps- Chautham,  
Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Viveka Nandsingh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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

ORAL ORDER

2      19-02-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in Chautham P.S. Case No. 164 of 2023, instituted for the offences punishable under Sections 25 (1-b), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, one country made pitsol and two empty cartridges have been recovered in this case.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. The occurrence took place on 22.03.2023 but the informant of the present case has filed the present case after two months and 8



days of the alleged occurrence on 01.06.2023 merely on the basis of suspicion against the petitioner. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner has five criminal antecedents as has been stated in paragraph no. 3 of the present bail application in which the petitioner is on bail in four cases and in one case he has been acquitted by the Court below. The petitioner is languishing in judicial custody since 23.08.2023. Learned counsel for the petitioner further submits that co-accused has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 11.01.2024 passed in Cr. Misc. No. 73921 of 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and the fact that co-accused has been granted anticipatory bail by a Co-ordinate Bench of this Court, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Chautham P.S. Case  
No. 164 of 2023.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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