

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13209 of 2024

Arising Out of PS. Case No.-373 Year-2023 Thana- RAJAON District- Banka

Rajiv Yadav S/o Late Suresh Yadav R/o vill - Chakjabai (Makaramdih), P.S. -
Rajoun, Distt. - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Arun Kumar Singh

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

ORAL ORDER

2 05-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Rajoun P.S. case No.
373 of 2023 instituted for the offences under Sections 414/34 of
the Indian Penal Code and Sections 25(1-B)A, 26 and 35 of the
Arms Act.

3. Prosecution allegation, in short, is that petitioner
along with one co-accused Md. Salman was apprehended with a
car and on search, one country made pistol, one cartridge and
one mobile phone were recovered from the apprehended
accused persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. Charge-sheet has been submitted in this case. The petitioner has no concern with the recovered car or with the arms. The recovered mobile belongs to the co-accused. The petitioner is in custody since 28.07.2023 and has two criminal antecedents in which in one case, he is on bail. There is no compliance of Section 100 of the Cr.P.C.

5. Learned A.P.P. 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 and the period of custody undergone by the petitioner, 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rajoun P.S. case No. 373 of 2023.

(Rudra Prakash Mishra, J)

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