

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16366 of 2024

Arising Out of PS. Case No.-193 Year-2023 Thana- JANKINAGAR District- Purnia

Mithilesh Yadav Son of late Pirvat Yadav @ Priyabrat Yadav Resident of vill.-
Chakmaka Bazar, Ward No.7, P.S.-Jankinagar, Distt.-Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaidehi Raman Prasad Singh, Adv.

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 02-09-2024 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Jankinagar P.S. Case No. 193 of 2023 registered under Sections 25(1-AA), 25(1-A), 26(1)(2) and 35 of the Arms Act.

3. On secret information, informant along with police personnel reached at the house of this petitioner, and on search, several tools and machines, semi manufactured barrels and arms manufacturing tools were recovered.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case merely because petitioner is father of apprehended co-accused Jitu Kumar. By filing supplementary affidavit, learned counsel for the petitioner submits that the house in question from where the alleged recovery has been made, i.e., Khesra No. 240 measuring 0.05 acres under Khata



No. 23, Chakmaka Village within Mahrajganj Panchayat has been given to Khushabu Kumari, wife of co-accused Jitu Kumar Yadav and under Rule 5(5) of Bihar Privileged Persons Homestead Tenancy Rules, Khushabu Kumari is also paying rent for the same to the State of Bihar. It is further submitted that this petitioner has no concern either with the place of occurrence or with the alleged recovery. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State opposed the prayer for bail of the petitioner.

6. Having considered the aforesaid facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate-I, Purnia in connection with Jankinagar P.S. Case No. 193 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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