

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27102 of 2024

Arising Out of PS. Case No.-9 Year-2024 Thana- MAHKAR District- Gaya

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Fotush Yadav @ Jitendra Yadav Son of Krishna Yadav Resident of Village-
Harsingra, P.S.- Mahkar, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Choudhary

For the Opposite Party/s : Mr.Madan Kumar

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

ORAL ORDER

2 09-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Mahkar
P.S. Case No. 9 of 2024 instituted for the offences punishable
under Sections 25(1-b)a and 26 of the Arms Act.

3. As per prosecution case, there has been recovery of
one country-made rifle from the house of the petitioner.

4. Learned counsel for the petitioners submitted that
the petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case. The petitioner has
no concern with the alleged arms, which was seized by the
police. Only on the basis of suspicion, petitioner has been
implicated in the present case by the police due to his criminal



antecedents. The provision of Section 100 of the Cr.P.C. has not been followed in this case while preparing the seizure list. The petitioner is in custody since 07.01.2024 and he has two criminal antecedents in which he is on bail.

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 as well as 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 Mahkar P.S. Case No. 9 of 2024.

(Rudra Prakash Mishra, J)

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