

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33949 of 2024

Arising Out of PS. Case No.-265 Year-2023 Thana- BARARI District- Katihar

Bibek Yadav Son of Pankaj Yadav Resident of Village- Bari Bhaisa Dira, P.S-
Barari ,Dist- Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Narayan Yadav, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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

ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Barari
P.S. Case No. 265 of 2023 instituted for the offences under
Sections 414, 420/34 of the Indian Penal Code and Section
25(i-b)a/26 and 35 of the Arms Act.

3. The prosecution case, in short, is that on receipt of
secret information, the police reached at the place of occurrence
but, on seeing the police party, the accused persons started to
flee away from there but, they were caught hold. On search, one
country made pistol and one live cartridge and motorcycle was
recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case due to some ulterior motive and local politics. He further submits that nothing incriminating has been recovered from the possession of the petitioner. Co-accused Tufani Yadav has been enlarged on bail vide order dated 04.12.2024 passed in Cr. Misc. No. 76618 of 2023. He further submits that there is complete violation of Section 100(4) of the Cr.P.C.. Petitioner has got antecedent of one criminal case in which he is on bail. The petitioner is languishing in judicial custody since 05.08.2023.

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

6. Considering the entire facts and circumstances of the case as also taking into account the period of custody, let the petitioner, abovenamed, 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 Barari P.S. case No. 265 of 2023.

(Rudra Prakash Mishra, J)

Prakash/-

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