

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38956 of 2024

Arising Out of PS. Case No.-794 Year-2023 Thana- SAUR BAZAR District- Saharsa

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BRAJESH KUMAR @ BRAJESH YADAV SON OF UMESH YADAV
RESIDENT OF VILLAGE - MUNDICHAK, P.S. - SALKHUA (BANMA
ITAHARI O.P.), DISTRICT - SAHARSA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sameer Ranjan, Adv.

For the Opposite Party/s : Mrs.Sangeeta Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 07-10-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Saur Bazar P.S. Case No. 794 of 2023 dated 15.12.2023 registered for the offences punishable u/ss 188 and 290 of the Indian Penal Code and u/ss 25(1B)a, 35 and 25(9) of the Arms Act.

3. As per the prosecution case, one loaded country made katta and one live cartridge were recovered from the possession of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has been made accused in this case due



to old enmity, civil dispute and village party politics. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged recovery. The petitioner has one criminal antecedent in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 16.12.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saharsa in connection with Saur Bazar P.S. Case No. 794 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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