

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34759 of 2024

Arising Out of PS. Case No.-374 Year-2023 Thana- GOGRI District- Khagaria

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ANGAD YADAV SON OF RAM BILASH YADAV RESIDENT OF
VILLAGE - USRI, POLICE STATION - GOGRI, DISTRICT - KHAGARIA
(BIHAR) Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

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

ORAL ORDER

2 06-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Gogri P.S. Case No. 374
of 2023 instituted for the offences under Sections 25(1-B)a,
26(i) of the Arms Act.

3. The prosecution case, in short, is that on 16.10.2023
a country made pistol and 20 live cartridges were recovered
from 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 his antecedent. There is no independent
seizure list witness. Both witnesses are police personnel.
Signature of the petitioner was taken on blank paper under
coercion and threat. Charge-sheet has been submitted in this
case. No incriminating material has been recovered from the



conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery. The petitioner is in custody since 17.10.2023 and has got antecedent of one criminal case. There is no compliance of Section 100 of 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 Gogri P.S. Case No. 374 of 2023 subject to the following conditions.

(I) One of the bailors shall be own/close member of the family of the petitioner

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

Prakash/-

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(Rudra Prakash Mishra, J)

