

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38850 of 2024

Arising Out of PS. Case No.-247 Year-2023 Thana- BASANHI District- Saharsa

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Budho Yadav Son of Bijal Yadav @ Bijli Yadav Resident of Village-
Tamkulha, P.S -Basnahi, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 27-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Basnahi P.S. Case No.247 of 2023 lodged under Section 414 of
the I.P.C. read with sections 25(1-b)a/ 26 and 35 of the Arms
Act.

3. As per the prosecution case, the F.I.R. has been
lodged against the two named accused persons including the
petitioner against whom there is allegation that with the help of
pistol, they are planning to commit crime. One motorcycle, live
cartridges and smart phone have alleged to be recovered in this
case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He further



submits that nothing incriminating theft article has been recovered from his possession rather the said live cartridges have been planted by the police. He further submits that the said motorcycle has been recovered from possession of co-accused, namely, Ambika Kumar.

5. Counsel for the petitioner submits that petitioner is in custody since 13.12.2023 having 5 criminal antecedent in which he is on bail in all the cases.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected, but liberty is hereby granted to the petitioner that he may renew his prayer for bail after framing of charge.

(Dr. Anshuman, J.)

Prakashmani/-

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