

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40472 of 2024

Arising Out of PS. Case No.-251 Year-2023 Thana- MANIGACHI District- Darbhanga

Vikash Kumar Yadav S/o Ghuran Yadav Resident Of Village - Dahaura, P.s. -
Manigachhi, Distt. - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidyanath Prasad, Advocate

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

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

ORAL ORDER

2 21-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Manigachhi P.S. case No. 251 of 2023 instituted for the offences
under Sections 25(1-b)a, 26, 35 of the Arms Act.

3. As per the F.I.R., police, on the basis of secret
information apprehended three accused persons including this
petitioner. On search, one country-made firearm was recovered
from co-accused person whereas one mobile phone was
recovered from this petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
any incriminating article has been recovered from the conscious



possession of the petitioner rather the recovery of firearm is attributed to co-accused Md. Nasim @ Sher Ali Khan. Learned counsel further submitted that petitioner has got no concern with the recovered arms and ammunitions. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 26.11.2023 and has one criminal antecedent. There is no compliance of Section 100 of the 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, no any recovery of firearm from the petitioner as also 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 Manigachhi P.S. case No. 251 of 2023

(Rudra Prakash Mishra, J)

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