

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48619 of 2024

Arising Out of PS. Case No.-2 Year-2024 Thana- JAIPUR District- Banka

Pawan Kumar Yadav Son of Mahendra Yadav R/O Vill.- Dhaboni, P.S.-
Chandan, Dist.- Banka, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Priyanka Singh, Advocate

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

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

ORAL ORDER

3 18-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Jaipur P.S. case No. 02
of 2024 instituted for the offences under Sections 25(1-B)(a)
and 35 of the Arms Act.

3. Prosecution allegation, in short, is that in a raid
conducted by the police, local made pistol without any cartridge
has been recovered from the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case and cognizance
has also been taken on 19.03.2024 by the Court below under
Sections 25(1B)a/35 of the Arms Act. No incriminating material



has been recovered from the conscious possession of the petitioner. The petitioner is in custody since 05.01.2024 and has no criminal antecedent. The case is triable by the Magistrate. 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, charge-sheet being submitted 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 Jaipur P.S. case No. 02 of 2024.

(Rudra Prakash Mishra, J)

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