

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42915 of 2024

Arising Out of PS. Case No.-222 Year-2023 Thana- VISHAMBHARPUR District- Gopalganj

1. Jalandhar Yadav S/o Suraj Yadav R/o Village Khem Matihaniya, P.S. Bishambharpur, District Gopalganj
2. Raju Yadav S/o Jalandhar Yadav R/o Village Khem Matihaniya, P.S. Bishambharpur, District Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Vishambharpur P.S. Case No. 222 of 2023 instituted under Sections 25(1-B)a, 26(1) and 35 of the Arms Act.

3. As per the prosecution case, some unknown persons were wandering near the godown with arms in suspicious condition and when the Police arrived there they started fleeing away from whom two persons were caught by the Police. It is further alleged that one double barrel gun and some live cartridges were recovered from them.

4. Learned counsel for the petitioners submits that



petitioners are innocent and have been committed no offence and have been falsely implicated in this case due to disclosure made by Shambhu Yadav and Puspendra Kumar @ Brajesh Kumar who have inimical terms with the petitioners. He further submits that petitioner no. 1 was candidate of Sarpanch and petitioner no. 2 is his son and, therefore, due to political enmity, the petitioners were implicated in this case. Learned counsel submits that the petitioners were not present on the spot and nothing has been recovered from the possession of the petitioners. The petitioners have no criminal antecedent and they undertake to co-operate in the investigation and the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount to each to the satisfaction of the learned A.C.J.M.-IV, Gopalganj / Concerned Trial Court in connection with Vishambharpur P.S. Case No. 222 of 2023, subject to the conditions laid down in Section 438(2) of the



Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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