

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52279 of 2024

Arising Out of PS. Case No.-126 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

1. BHUVEN PRASAD YADAV SON OF SHREE PRASAD YADAV R/O-
VILLAGE- BAHARWA, P.S.- PHULPARAS, DISTT.- MADHUBANI,
BIHAR
2. SUMIT KUMAR THAKUR SON OF JAY NARAYAN THAKUR R/O-
VILLAGE- SONAHAUVANA, P.S.- KEVATI, DISTT.- DARBHANGA,
BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivnandan Bharti

For the Opposite Party/s : Mr.Shantanu Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 01-08-2024 Heard the learned counsel for the petitioners as well
as the learned Additional Public Prosecutor for the State.

2. The petitioners are seeking regular bail in connection with Kuchaikote P.S. Case No. 126 of 2024, registered for the offences punishable under Sections 25(1-b)a, 26/35 of the Arms Act.

3. As per allegation, in course of vehicle checking, the informant along with police personnel entered into a bus named as Shiv Travel and as soon son they entered into the bus, the driver and khalsi tried to flee away, but they were apprehended. On search from possession of Bhuven Prasad Yadav, a loaded pistol made in *italy* with two cartridges, and a mobile of *Lawa* company was also recovered whereas from possession of Sumit Kumar Thakur, an empty Magazine and a screen touch mobile was recovered. When the paper regarding the recovered articles



was asked from them, they did not produce any valid papers regarding the recovered articles.

4. The learned counsel for the petitioners has submitted that they have falsely been implicated in this case. He has further submitted that the petitioner no. 1 and petitioner no.2 are the driver and *khalasi*. He has also submitted that nothing was recovered from possession of the petitioners. The petitioners are the persons of clean antecedents and are under custody since 24.03.2024.

5. Considering the above-mentioned facts and circumstances as well as the clean antecedent, let the petitioners above-named be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Additional Judicial Magistrate-I, Gopalganj in connection with Kuchaikote P.S. Case No. 126 of 2024, subject to the following conditions:-

- (i) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(Nawneet Kumar Pandey, J)

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