

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57751 of 2024

Arising Out of PS. Case No.-1183 Year-2023 Thana- KHAGARIA District- Khagaria

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Premchand Yadav @ Pappu Yadav Son Of Parmanand Yadav Village-
Shobhani Chowk, Ps- Gangour, Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vivekanand Singh

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 22-11-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 25(1-b)a, 35 of the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of 7 cases. It is next submitted that for
the same occurrence, Khagaria (Gangour) P.S. Case
No.1182/2023 was also instituted by one Pranav Kumar. It is
next submitted that the police instituted the instant F.I.R. i.e.
Khagaria (Gangour) P.S. Case No.1183/2023. It is next
submitted that Khagaria (Gangour) P.S. Case No.1182/2023 was
instituted under sections 341, 323, 307, 337, 504, 506 read with
section 34 of the Indian Penal Code read with Sections 25(1-b)a
and 27 of the Arms Act, whereas the instant F.I.R. has been
instituted only under sections 25(1-b)a & 35 of the Arms Act. It
is next submitted that the law is very clear that for the same



occurrence two F.I.Rs. cannot be instituted. It is further submitted that the petitioner has been granted the privilege of anticipatory bail by a learned Co-ordinate Bench in connection with Khagaria (Gangour) P.S. Case No.1182/2023 by an order dated 07.05.2024 in Cr. Misc. No.27819/2024. It is further submitted that petitioner in the instant case is seeking regular bail and is in custody since 19.05.2024.

4. Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Khagaria, in connection with Khagaria (Gangour) P.S. Case No.1183/2023.

6. Further, one of the bailors of the petitioner shall be his wife namely Sona Devi.

(Satyavrat Verma, J)

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