

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57601 of 2024**

Arising Out of PS. Case No.-551 Year-2022 Thana- CHIRAIYA District- East Champaran

Someshwar Kumar Yadav @ S. P. Yadav Son of Lalbabu Rai Resident of  
village - Laluwa, P.S.- Ghorasahan, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Kundan Rathore, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      08-08-2024                      Heard learned counsel for the petitioner  
and learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Section 412 of the Indian Penal Code and Sections 25(1-B)a, 26, 35 of Arms Act.

Prosecution case relates to loot in the office of Flipkart at Motihari. ON the basis of secret information, police apprehended two accused persons who disclosed the name of petitioner and other co-accused persons as their associates. On search, lone loaded



country made pistol and one bullet has been recovered from the possession of co-accused Rupesh Kumar, one country made pistol loaded with three cartridges has been recovered from the possession of co-accused Abhishek Tripathi and one bag containing Rs. 4, 90,260/-, three pistols with eight bullets and one knife has been recovered from the possession of co-accused Abhishek Pandey.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner is named in the F.I.R. nor anything incriminating has been recovered from his conscious possession. His name sprang up in this case on the basis of confessional statement of apprehended co-accused persons. Petitioner has no concern either with the co-accused persons or with the recovered articles. Moreover, the petitioner is languishing in judicial custody since



17.08.2023. Similarly situated co-accused Rana Pratap Yadav has already been granted bail vide order dated 25.06.2024, passed in Cr. Misc. No. 43350 of 2024 by this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Chiraiya P.S. Case No. 551 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate/concerned court, East Champaran, Motihari.

**(Sunil Kumar Panwar, J)**

Nirajkrs/-

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