

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57777 of 2024

Arising Out of PS. Case No.-242 Year-2024 Thana- NAUBATPUR District- Patna

Dilip Kumar @ Bauanand Yadav S/o Hira Ratan Yadav Resident of Village-
Lodipur, P.S. Naubatpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Chandra, Adv.
For the Opposite Party/s : Mr.Md. Matloob Rab, APP

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

ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Naubatpur P.S. Case No. 242 of 2024 instituted for the

offences under Sections 25(1-B)a, 26/27 and 35 of the

Arms Act.

3. As per prosecution case, the accusation against

the petitioner is of being involved in firing at a road near

primary school, Chakiyapar. The police has also recovered

one country-made loaded pistol from the possession of the

petitioner.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case on the basis of suspicion. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The Apache motorcycle which is said to be recovered by the police belongs to the petitioner. The petitioner has no criminal antecedent and is languishing in judicial custody since 30.04.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Naubatpur P.S. Case No. 242 of 2024.

(Rudra Prakash Mishra, J)

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