

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73379 of 2024

Arising Out of PS. Case No.-97 Year-2024 Thana- BHORE District- Gopalganj

Mithun Yadav @ Abhay Yadav @ Abhay Kumar Son of Amarjit Yadav R/o
Village- Luhsi P.S.- Bhore Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suresh Prasad Bhakta, Advocate

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 11-11-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Bhore P.S. Case no. 97 of 2024 registered under sections 25(1-b)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, the informant states that seeing police personnel the accused persons started to flee away. One of the accused Rajeshwar Yadav was caught and a loaded country made pistol was recovered from his possession. He disclosed the names of the other accused who had managed to escape and which included the petitioner herein.

4. Learned counsel for the petitioner submits that neither the petitioner was arrested at the spot nor any incriminating article recovered from his possession. The reason



of his false implication are his antecedents as stated in paragraph no. 3 of the petition. The petitioner undertakes to cooperate in the case.

5. The application for bail is opposed by learned APP for the State who submits that the petitioner is accused in as many as seven cases from before.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the petitioner not having been arrested at the spot and no incriminating article having been recovered from his possession, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Bhore P.S. Case no. 97 of 2024 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, Gopalganj.

(Partha Sarthy, J)

Harsh/-

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