

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72910 of 2024

Arising Out of PS. Case No.-778 Year-2023 Thana- KHAGARIA District- Khagaria

Bikram Yadav @ Vikram Kumar @ Vikram Kumar Yadav S/o Sipahi Yadav
R/o Village- Jangli Mandal Tola, Rahimpur, P.S.- Muffasil, District- Khagaria
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Advocate
For the Opposite Party/s : Mr. Kalyan Shankar, APP

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

ORAL ORDER

2 04-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in Khagaria P.S.
Case No. 778 of 2023, registered under Section 414 of the
Indian Penal Code and Sections 25(1-B)(a), 26 and 35 of the
Arms Act.

3. The prosecution case, in short, is that, six pistols,
twelve magazines and cash amounting Rs. 2000/- was found
from the possession of co-accused Anil Giri.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Learned counsel for the petitioner also submits that
the petitioner was not present at the place of occurrence. Name
of the petitioner has transpired on the basis of confessional



statement made by co-accused Anil Giri and the same has got no evidentiary value. The petitioner has got no concern with the alleged recovery of arms. The petitioner has got one criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 15.03.2024 passed in Cr. Misc. No. 18474 of 2024. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named in the event of arrest/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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Khagaria P.S. Case No. 778 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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