

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73921 of 2023**

Arising Out of PS. Case No.-164 Year-2023 Thana- CHAUTHAM District- Khagaria

GAJJO YADAV @ GAJENDRA YADAV @ GAJENDRA KUMAR @
GAJJO @ GAJEND Son of Anandi Yadav R/o vill - Soharwar, P.S. -
Chautham, Distt. - Khagaria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh, Adv.

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 11-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Chautham P.S. Case No. 164 of 2023 dated 01.06.2023 registered for the offences punishable u/ss 25(1-b), 26 and 35 of the Arms Act.

3. As per the prosecution case, the informant, being an Investigating Officer of Chautham P.S. Case No. 84/ 2023 has alleged that during the course of the investigation, it was revealed that if the arms and ammunition were recovered from the possession of the accused of the aforesaid case, namely Ravi @ Ravis Yadav then they would have immediately handed over it to police but it was handed over after half an hour to the



Constable of SAP who came at the place of occurrence on information. This showed that the accused person, Ravi @ Ravish Yadav did not have arms and ammunition. According to the witness of this case, it was said that the petitioner had snatched the said arms and ammunition from the accused, Ravi @ Ravish Yadav under a conspiracy with the co-accused Subodh Yadav due to previous enmity.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The occurrence took place on 22.03.2023 but the informant of the present case has filed the present case after two months and 8 days of the alleged occurrence on 01.06.2023 merely on the basis of suspicion against the petitioner and the co-accused person. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has one criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be



enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Khagaria in connection with Chautham P.S. Case No. 164 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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