

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.77854 of 2023**

Arising Out of PS. Case No.-649 Year-2023 Thana- NATHNAGAR District- Bhagalpur

Arvind Yadav Son Of Late Umesh Yadav R/O Of Village- Sarmaspur, Korha,  
P.S.- Lodipur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

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

3      27-02-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 25(1-b)a, 26, of the Arms Act.

3. As per FIR, the petitioner was apprehended on the spot while he was trying to flee, upon search, one country made pistol along with one live cartridge were recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case merely on the basis suspicion. The petitioner has no concern with the alleged recovery rather he has been made



accused in this case due to high handedness of the police officials. It is further submitted that the Section 100 of the Cr.P.C. has not been followed while preparing the seizure list. Moreover, the petitioner is languishing in judicial custody since 08.08.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be released on bail in connection with Nathnagar Lalmatiya P.S. Case No. 649 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Bhagalpur.

(Sunil Kumar Panwar, J)

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