

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81820 of 2024

Arising Out of PS. Case No.-155 Year-2024 Thana- SALAKHUA District- Saharsa

Lalan Yadav Son of Ramchandra Yadav Resident of Village - Haripur, P.S. -
Salkhua, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rashmi Jha, Advocate

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

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

ORAL ORDER

2 22-11-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with
Salkhua P.S. Case No. 155 of 2024, instituted for the offences
punishable under Sections 25(1-B)(a), 26 and 35 of the Arms
Act.

3. The prosecution case, in short, is that, one country
made pistol and 10 live cartridges have been recovered from the
possession of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious
possession of the petitioner. Learned counsel for the petitioner



also submits that the petitioner has got no concern with the alleged recovery of arms. The petitioner is in custody since 22.06.2024 and has got three criminal antecedents in which he is on bail in all cases. There is no compliance of Section 100 of Cr.P.C. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted bail by this Court vide order dated 24.10.2024 passed in Cr. Misc. No. 76022 of 2024.

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 of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on 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 Salkhua P.S. Case No. 155 of 2024.

(Rudra Prakash Mishra, J)

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