

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83822 of 2024

Arising Out of PS. Case No.-429 Year-2024 Thana- HARSIDHI District- East Champaran

Appu Kumar Yadav S/O Shri Srifal Yadav @ Sarifal Yadav Resident of
Mohalla- Kharsahwa, P.S.- Balthar, District- West Champaran, Bettiah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alexander Ashok, Adv.

Mr. Jawed Akhtar, Adv.

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

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

ORAL ORDER

2 10-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Harsiddhi P.S. Case No. 429 of 2024 instituted for the offences
under Sections 25(1-B)a, 26, 35 of the Arms Act.

3. As per prosecution case, the police, on the basis of
the disclosures made by the petitioner, has recovered a country-
made pistol loaded with one live cartridge hidden in the bush.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
He further submits that nothing incriminating has been
recovered from the conscious possession of the petitioner. The



petitioner has no concern with the alleged recovery of fire-arms. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has one criminal antecedent and is languishing in judicial custody since 04.08.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Harsiddhi P.S. Case No. 429 of 2024.

(Rudra Prakash Mishra, J)

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