

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11236 of 2024

Arising Out of PS. Case No.-100 Year-2023 Thana- MORKAHI District- Khagaria

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Raushan Yadav @ Raushan Raj @ Raushan Kumar s/o late Ramanand Yadav
R/o Village-Belahi, Chiraiya O.P. P S- Salkhua Dist-Saharsa

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Budhilal Yadav

For the Opposite Party/s : Mr.Dr. Indihar Kumari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 19-07-2024 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 sections 25(8), 26(i) (2) and 35 of the Arms Act.

3. Prosecution case relates to recovery of one country made pistol along with nine live cartridges and some other incriminating article from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. There is no independent witness of the seizure list rather they are police personnel. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 8.02.2024. in Cr.



Misc. No. 4567 of 2024. Moreover, the petitioner is languishing in judicial custody since 05.08.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6.Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail **after framing of charge if the charge is not framed** in connection with Morkahi P.S. Case No. 100 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 ACJM-IVth, Khagaria.

(Sunil Kumar Panwar, J)

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