

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5121 of 2024

Arising Out of PS. Case No.-162 Year-2023 Thana- PRATAPGANJ District- Supaul

Indra Narain Yadav S/o Late Brahmdeo Yadav R/o Village- Kusaha, Ward No.
13, P.S.- Tribeniganj, Distt- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Bhushan Das

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-02-2024 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 sections 25(1-b)a, 26, 35 of Arms Act.

3. Allegation against the petitioner is that he along with other co-accused persons was arrested while they were preparing for committing offence. Upon search, one country made pistol and a mobile phone were recovered from possession of this 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 due to high handedness of the police. The petitioner has no concerned with the alleged



arms seized by the police. It is further submitted that the seizure list witness are police officials, not a single independent witness which violates section 100 of Cr.P.C. Moreover, the petitioner is languishing in judicial custody since 4.9.2023.

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 period of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail **after framing of charge, if not framed**, in connection with Pratapganj P.S. Case No. 162 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 Sub Divisional Judicial Magistrate, Birpur.

(Sunil Kumar Panwar, J)

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