

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7691 of 2025

Arising Out of PS. Case No.-768 Year-2024 Thana- AMARPUR District- Banka

Lalu Yadav Son of Rajendra Yadav Resident Of Village -Badi Jankipur, Ps
-Amarpur Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Ms. Nirmala Kumari, APP

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

ORAL ORDER

2 17-02-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Amarpur P.S. Case No. 768 of 2024 instituted for the offence
under Sections 310(4), 310(5) of the Bharatiya Nyaya Sanhita,
2023 and Sections 25(1-b)a, 26 & 35 of the Arms Act.

3. Prosecution case in short is that police on a tip off
regarding assembly on anti-social elements conducted raid and
apprehended accused persons, including the petitioner and on
search, there is recovery of two live cartridges from the
possession of the petitioner, whereas a country made pistol
along with two live cartridges have been recovered from co-
accused, namely, Ankit Kumar.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 03-12-2024. Petitioner bears one criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. There has no concern with the recovered arms. Learned counsel goes on to submit that recovery is planted and petitioner has been implicated in this case on extraneous consideration. There is no compliance of Section 103 of the BNSS, 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and manner of petitioner's implication, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner 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 Amarapur P.S. Case No. 768 of 2024, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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