

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16848 of 2025

Arising Out of PS. Case No.-126 Year-2020 Thana- NAUGACHIA District- Bhagalpur

Rahul Yadav Son of Kailash Yadav @ Faishon Yadav Resident of Village-
Latra, P.S.- Gopalpur, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Adv.
For the State : Mr. Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 12-05-2025 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Naugachia P.S. Case No. 126 of 2020, registered for the offences punishable under Sections 307, 353, 414/34 of the IPC and section 25(1-B)A, 26, 27, 35 of the Arms Act.

3. As per allegation, the petitioner was found holding a country-made pistol loaded with one round of ammunition, while fifteen rounds of 0.315 bore cartridges were also found concealed in a bag tied to his waist. It is further alleged that arms and ammunition were recovered from the possession of other co-accused persons.



4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing was recovered from his possession and he has been made accused on the basis of his criminal antecedents. As a matter of fact, in the present case, there is nothing against him. He has further submitted that co-accused Rajesh Yadav and Barunjay Thakur, who were arrested at the spot, have been granted bail by the court below itself. He has also submitted that co-accused Rajesh Yadav and Barunjay Thakur have also criminal antecedents.

5. On the other hand, the learned APP for the State Sri Shailendra Kumar has opposed the prayer for bail and submitted that the petitioner was absconding and the case lingered for a prolong duration, due to his absconding, to which the learned counsel for the petitioner replied that by remaining under custody for nearabout one year, the petitioner has been punished enough and the charges have also been framed.

6. In the present case, except the criminal antecedent, there is nothing against the petitioner. He was not arrested at the spot. Nothing was recovered from his possession and he is under custody for nearabout one year.

7. Considering the above-mentioned facts and



circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned 3rd Additional Sessions Judge, Naugachia, District- Bhagalpur in connection with Sessions Trial No. 377 of 2024 arising out of Naugachia P.S. Case No. 126 of 2020, subject to the following condition that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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