

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17321 of 2025

Arising Out of PS. Case No.-521 Year-2024 Thana- KONCH District- Gaya

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Gaya Yadav @ Ram Ishwar Kumar @ Rameshwar Yadav, Male, aged about 22 years, S/o Late Surendra Yadav, R/o vill - Manoharpur, P.S.- Konch, Distt.- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Aryan Singh, Advocate
For the Opposite Party : Mr. Anish Chandra, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 03-04-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Konch P.S. Case No. 521 of 2024 dated 16.12.2024 registered for the offences punishable under Section 37 of the Bihar Prohibition and Excise (Amendment) Act, 2022 and Section 25(1B)(a) and 26 of the Arms Act.

3. As per the prosecution case, one country made pistol is said to have been recovered from the house of the petitioner and the petitioner was arrested in drunken state.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the seizure list falsifies



the whole prosecution story and proves the fact that the police have some personal grievances with the petitioner which they are trying to settle by using their power in malicious way. It is further submitted that the petitioner has become the target of police as evident from his criminal antecedent and as he is granted relief in one case, police already gives his name in other cases so that his whole life can be drained in contesting cases. It is further submitted that at 9.40 P.M., the informant with other police officials reached at the house of the petitioner and the seizure list was prepared at his house at 10.45 P.M., and the F.I.R. was registered at 12.30 A.M. on 16.12.2024. He has no concern with the alleged offence. The petitioner has three criminal antecedents as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 16.12.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional



District Judge-cum-Exclusive Excise Court No. 4, Gaya in connection with Konch P.S. Case No. 521 of 2024 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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