

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35971 of 2025

Arising Out of PS. Case No.-78 Year-2025 Thana- ARA NAGAR District- Bhojpur

Khatai Yadav @ Mahesh Yadav @ Mahesh Kumar S/o Late Fudan Yadav @
Fudun Yadav R/o Mohalla- Shital Tola, P.S.- Ara Town, District- Bhojpur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 23-06-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Ara Town P.S. Case No. 78 of 2025 dated 30.01.2025 registered for the offences punishable u/s 25(1-b)a/26/35 of the Arms Act.

3. The prosecution case in brief, On 30.01.2025 at about 07.15.PM on secret information that two persons namely, Khatai Yadav (petitioner) and Dharmendra Yadav were coming with pistols to kill a person. As soon as Police reached Charkhamba Gali, informant saw that two persons on a motorcycle were surrounding a person and pointing a pistol at him. On seeing the police, both the persons tried to run away. One person namely, Khatai Yadav who was holding a pistol in



hand was caught and another one who was riding motorcycle managed to escape.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. There is no eye witness to the alleged occurrence. There is general and omnibus allegation against the petitioner. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has six criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 31.01.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that para 2 of the case diary a loaded country made pistol and two mobile phones were recovered from the possession of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to 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 learned Court concerned, in connection with Ara Town P.S. Case No. 78 of 2025, with the condition/s:-



(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 bond of the petitioner is liable to be cancelled.

7. This application is allowed.

(Chandra Prakash Singh, J)

Raj Ranjan/-

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