

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40456 of 2025

Arising Out of PS. Case No.-578 Year-2023 Thana- RAJAON District- Banka

Kanbali Yadav @ Mitto Yadav S/o Deghar Yadav R/o Village- Shyampur
Ghutiya, P.S.- Rajoun, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

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

ORAL ORDER

2 27-06-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Rajoun
P.S. Case No. 578 of 2023, instituted for the offences punishable
under Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, there is
recovery of one loaded country made pistol from the possession
of co-accused person.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for
the petitioner also submits that the petitioner was not arrested
from the place of occurrence. Name of the petitioner has
transpired in this case on the basis of confessional statement



made by co-accused, namely, Bobby Kumar and the same has got no evidentiary value. It is next submitted that no recovery of arms have been made from the possession of the petitioner. The petitioner is in custody since 10.03.2025 and has got three criminal antecedents. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 21.06.2024 passed in Cr. Misc. No. 40810 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rajoun P.S. Case No. 578 of 2023.

(Rudra Prakash Mishra, J)

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