

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51762 of 2025

Arising Out of PS. Case No.-36 Year-2025 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Deshu Yadav @ Amresh Kumar S/o Ram Kumar Yadav R/o vill - Kumbhi,
ward no. 12, P.S.- Cheriya Bariyarpur, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Binode Bariar, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 16-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Cheriya Bariyarpur P.S. Case No. 36 of 2025 registered for the alleged offences under Sections 25(1-B)a, 26, 35 of the Arms Act.

03. As per prosecution case, in a dispute over making payment of refreshment of a sweet shop, three miscreants on two motorcycles fired upon the owner of the shop. The police, thereafter, conducted a raid and two persons on a motorcycle were apprehended including this petitioner and from search of the petitioner, a country made pistol, an empty magazine, a spent cartridge and a mobile phone were recovered. The



motorcycle was seized. From the co-accused, recovery of a mobile phone was made.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner or the co-accused. The petitioner has been falsely implicated due to previous grudge as the petitioner had some altercation with shopkeeper on price of goods. The petitioner is in custody since 21.03.2025 and charge-sheet has been submitted. The petitioner is having antecedent of five cases and is on bail in four such cases.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to 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 learned Additional Chief Judicial Magistrate, Manjhaul, Begusarai/court concerned in connection with Cheriya Bariyarpur P.S. Case No. 36 of 2025, subject to the



conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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