

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89477 of 2024**

Arising Out of PS. Case No.-235 Year-2024 Thana- BELDOUR District- Khagaria

Hitlar Yadav S/o- Late Bechan Yadav Resident of Village-Mali, P.S-Beldaur,
District-Khagaria, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Seema Kumari, Advocate
For the Opposite Party/s : Md. Nazir Ansari, APP

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

ORAL ORDER

2 16-01-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Beldaur P.S. Case No. 235 of 2024, G.R. No. 2037 of 2024,
instituted for the offences punishable under Sections 25(1-B)(a)
and 26 of the Arms Act.

3. The prosecution case, in short, is that, one country
made pistol along with nine live cartridges has been recovered
from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious



possession of the petitioner. Learned counsel for the petitioner further submits that the petitioner has got no concern with the alleged recovery of arms. The petitioner is in custody since 30.06.2024 and has got three criminal antecedents in which he is on bail in all the cases. There is no compliance of Section 100 of Cr.P.C.

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 Beldaur P.S. Case No. 235 of 2024, G.R. No. 2037 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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