IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75931 of 2026

CNR No. BRHC011080062026

Arising Out of PS. Case No.-131 Year-2026 Thana- MORKAHI District- Khagaria

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Jagdev Yadav @ Jaydeo Yadav Son of Late Tilo Prasad Yadav Resident Of Village- Khair Diyara, P.S. - Sahebpur Kamal, Dist -Begusarai.

... ... Petitioner

Versus

The State of Bihar

... ... Opposite Party

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Appearance :
For the Petitioner/s : Mr.Jai Kishor Poddar, Advocate
For the Opposite Party/s : Mr.Rajendra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 28-10-2026 Heard learned counsel appearing on behalf of the petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection with Morkahi P.S. Case No. 131 of 2026 registered for the offences under Sections 25(1-b)a, 26, 35 of the Arms Act.

3. The accused/petitioner is named in the First Information Report and is in custody since 26.07.2026.

4. As per FIR, one country made pistol alleged to be recovered from possession of this petitioner. Four live cartridges also alleged to be recovered from one Scorpio vehicle which was under use of this petitioner and other persons.

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5. It is submitted by learned counsel appearing on behalf of the petitioner that alleged recovery of one country made pistol, not appears to be recovered from conscious physical possession of this petitioner. It is submitted that seizure list also appears disputed for the reason that same is not supported by independent witnesses rather by police personnel.

6. It is also pointed out that the vehicle in issue not appears related with this petitioner in any manner and, therefore, the recovery of live cartridges from said Scorpio Vehicle is of no concern with this petitioner.

7. While concluding argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation of this case has already concluded, for which charge-sheet has been submitted and as such, there is no chance of tampering with the evidence.

8. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

9. In view of aforesaid factual submission and by taking note of the fact as the recovery of country made

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pistol *prima facie* not appears to be made from conscious physical possession of this petitioner, coupled with the fact that investigation of this case has already concluded, wherein petitioner, who is a man of clean antecedent, remains in custody since 26.07.2026, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria/concerned court, in connection with Morkahi P.S. Case No. 131 of 2026, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short "B.N.S.S.").

(Chandra Shekhar Jha, J.)

Rajeev/-

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