

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73135 of 2024**

Arising Out of PS. Case No.-179 Year-2023 Thana- SHAHKUND District- Bhagalpur

Mithun Yadav @ Bikky Yadav Son of Chulhai Yadav @ Chulhay Yadav R/O-
Village- Kaswa Kherhi, P.S.- Shahkund, District - Bhagalpur.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 31-01-2025

Heard learned counsel appearing on

behalf of the parties.

2. The petitioner is in custody in connection with Shahkund P.S. Case no.179 of 2023 registered for the offences punishable under Sections 25(1-b)a and 26 of the Arms Act.

3. As per prosecution case, there is recovery of arms and ammunition from the possession of the petitioner.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner has falsely been implicated in the present case. He submitted that petitioner



is in custody since 25.04.2023. He further submitted that nothing incriminating article has been recovered from the possession of the petitioner. It is further submitted that charge farmed against the petitioner on 11.08.2023 but no any prosecution witness is examined as yet and further there is no progress in trial of the petitioner. It is further submitted that this is the second bail petition of the petitioner first bail petition of the petitioner is rejected *vide* order dated 01.12.2023 passed in Cr. Misc. No. 75661 of 2023 with following observations:

“Learned Trial Court is directed to conclude the trial within a period of 06 (six) months from the date of this order and if the trial is not concluded within the stipulated period, the petitioner may renew his prayer for bail before the court below.”

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and submissions made on behalf



of the petitioner, let the above named petitioner 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 A.C.J.M-XIV, Bhagalpur in connection with Shahkund P.S. Case no.179 of 2023.

(Ramesh Chand Malviya, J)

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