

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19481 of 2016

Arising Out of PS.Case No. -3 Year- 2016 Thana -GOPALPUR District- BHAGALPUR

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Lalu Yadav, S/o Late Mochi Yadav, R/o Village Tintenga, Kharari, P.S.
Gopalpur, District Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 05-05-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Gopalpur P.S.
Case No.03 of 2016 registered under Sections 25(1-B)a and 26 of the
Arms Act.

The accusation is that one country made loaded pistol
alongwith three live cartridges was recovered from the possession of
the petitioner.

Learned counsel appearing on behalf of the petitioner
submits that, in fact, due to occurrence of 'Maar-peat', Pramod Mandal,
the co-villager of the petitioner, lodged Gopalpur P.S. Case No.02 of
2016 on 08.01.2016 against the petitioner and others. Thereafter, the
petitioner was apprehended by the police showing the aforesaid

recovery from his possession at the instance of Pramod Mandal. It also appears from the seizure list that while the aforesaid recovery is said to be made from the possession of the petitioner but there is no signature of the petitioner on the same about receiving the copy of the seizure list. The petitioner is in custody since 08.01.2016 and while the petitioner is accused in four other cases also but he is on bail in all the cases.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M., Naugachia, Bhagalpur, in connection with Gopalpur P.S. Case No.03 of 2016. Out of the two sureties, one must be close relative of the petitioner, who will file an affidavit giving genealogy as to how he/she is related with the petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner. Further, the petitioner shall attend the court on each and every date during the course of the trial. If the petitioner fails to remain present during the course of trial in the court below on two consecutive dates without any reasonable cause being shown, the trial court would be at liberty to cancel the bail bond of the petitioner.

(Rajendra Kumar Mishra, J)

P.S./-

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