

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59367 of 2017

Arising Out of PS.Case No. -57 Year- 2017 Thana -FORBESGANJ District- ARRARIA

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Rahul Yadav @ Rahun Kumar Yadav @ Rahul Kumar @ Rahul K. Yadav,
Son of Pradeep Yadav @ Pradeep Kumar Yadav, resident of Village-
Pothia, P.S.- Forbisganj, District- Araria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3. 13-12-2017

Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

Earlier vide order dated 10.08.2017 passed in Cr.
Misc. No. 36279/2017, the prayer for regular bail of the
petitioner was refused because this Court was of the view
that the arms recovered at the instance of the petitioner was
allegedly connected to a case under Section 302 of the
Indian Penal Code being Narpatganj P.S. Case No. 23/2017.
The petitioner was granted liberty to renew the prayer for
bail if he gets the privilege of bail in Narpatganj P.S. Case
No. 23/2017. The present application has been filed in view
of the aforesaid liberty.

Learned counsel for the petitioner has pointed out
Annexure-3, which is the order dated 17.10.2017 passed in



Cr. Misc. No. 39912/2017, by which the petitioner has been granted regular bail by a co-ordinate Bench of this Court in Narpatganj P.S. Case No. 23/2017 registered for the offences punishable under Section 302 of the I.P.C.

A supplementary affidavit has also been filed today specifically stating therein that the petitioner is on bail in the cases which have been mentioned in paragraph-3 of the main petition.

Learned Additional Public Prosecutor for the State submits that so far as the present case is concerned, it was only registered under the provisions of the Arms Act.

In the facts and circumstances of the case, considering the fact that petitioner has been granted bail in connected case vide Annexure – 3 to the present application, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria, in connection with Forbesganj (Simraha) P.S. Case No. 57 of 2017 (G.R. No. 342/2017), subject to condition as laid down under Section 437(3) of the Code of Criminal Procedure and further condition as recorded in Cr. Misc. No.



39912/2017, which reads as follows:

- (1) Both the bailors would be close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.*
- (2) The petitioner will appear before the learned Court below during trial on each and every date and failure on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.”*

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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