

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28162 of 2017

Arising Out of P.S. Case No. -2 Year- 2017 Thana -LADIYA TAND District- MUNGER

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Sukesh @ Gaurav Yadav, Son of Maheshwar Prasad Rai, resident of
Ghatwari, P.S. Laraiyatand, District- Munger.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate.

For the Opposite Party/s : None.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 06-07-2017 Heard Sri Ajit Kumar Singh, learned counsel for the
petitioner.

No one appears for the State.

The petitioner in the present case is seeking regular
bail in connection with Laraiyatand P.S. Case No. 02/2017
registered for offences punishable under Sections 25(1-B)A, 26
and 35 of the Arms Act.

Learned counsel for the petitioner refers to the First
Information Report and the Seizure List from which it would
appear that the allegation against the petitioner is that of
possessing a loaded country made pistol with one 8 mm KF
written live cartridge. It is also alleged that 10 cartridges were



recovered from the left side of his trouser's pocket out of which seven were found to have been misfired. Although there is also recovery of a motorcycle, however, the submission is that the motorcycle was driven by another accused and not by this petitioner. Learned counsel further submits that although there are about four cases registered against this petitioner, however, all those cases pertain to the years 2014 and 2015 and in all those cases the petitioner is on bail. Submission is that of false implication and seizure in violation of the provisions of the Code of Criminal Procedure. The petitioner is in custody since 07.01.2017.

In the facts and circumstances stated here-in-above, let the petitioner, namely, Sukesh @ Gaurav Yadav, be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. I, Munger in connection with Laraiyatand P.S. Case No. 02/2017, subject to the conditions that (i) one of the bailors of the petitioner would be a family member, (ii) the petitioner shall take steps to be duly represented in course of trial and whenever his physical appearance is required he must appear before the trial court and two consecutive failures on his part to appear or to be represented shall lead to cancellation of his bail



and (iii) the petitioner shall co-operate in course of trial and shall not indulge in any extra-judicial method in either tampering with the evidence or threatening the witnesses.

(Rajeev Ranjan Prasad, J)

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