

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33010 of 2018

Arising Out of PS.Case No. -99 Year- 2016 Thana -MAUZAHDIPUR District- BHAGALPUR

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1. Manu Yadav @ Mannu Yadav @ Manish Yadav S/o Late Arjun Yadav,
R/o Vill.- Raghobpur Tikar, P.S.- Madhu Sadanpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh, Adv.

For the Opposite Party/s : Mr. Gulam Begum, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 04-07-2018 Heard learned counsel for the petitioner and the

learned counsel appearing for the State.

The petitioner is in custody since 26.06.2016 in connection with S.Tr. No. 619 of 2016 arising out of Mojahidpur P.S. Case No. 99 of 2016 registered for the offence under Sections 25(1-b)a, 26 of the Arms Act and 3/4 of the Explosive Substance Act.

Learned counsel for the petitioner submits that only on the basis of suspicion, the petitioner was taken into custody and three firearms alleged to have been recovered was also not from the conscious possession of the petitioner. It is further submitted that the criminal history of the petitioner, though dubious in connection with the present case, the petitioner was taken into



custody only on suspicion. Learned counsel for the petitioner further submits that no independent witness was also examined and the petitioner was arrested from the place of occurrence and he has been in jail for more than two years.

Consider the aforementioned facts and circumstances and the period of custody, let the petitioner, above named, be released 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 4th Additional Sessions Judge, Bhagalpur in connection with Mojahidpur P.S. Case No. 99 of 2016, subject to the following conditions;

- (1) One of the bailors will be the close relative of the petitioner, preferably, father, mother, brother, sister and/or their wife.
- (2) The petitioner shall not indulge themselves in any similar offence till conclusion of the trial.
- (3) The petitioner shall remain physically present in court on each and every date during trial and in the event of their failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the learned court concerned.



(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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