

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75579 of 2018

Arising Out of PS. Case No.-94 Year-2018 Thana- KHARIK District- Bhagalpur

Rupesh Yadav @ Bhairu Yadav @ Bihru Yadav Son of Yogi Yadav Resident
of Village-Bagri,P.S. Kharik,Distt.-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 18-12-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Kharik P.S. Case No. 94 of 2018 (G.R. No. 628
of 2018) registered for the offences punishable under Sections
25(1-b)a, 26(1) of the Arms Act.

Allegation is recovery of two country made pistol
and one cartridge from the possession of the petitioner.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been
falsely implicated in this case merely on suspicion. Petitioner is
in custody since 11.05.2018.

Considering the aforesaid fact and circumstances of
the case, let the petitioner named above be released on bail upon



furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Naugachia, District- Bhagalpur, in connection with Kharik P.S. Case No. 94 of 2018 (G.R. No. 628 of 2018), subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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