

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14727 of 2019**

Arising Out of PS. Case No.-11 Year-2019 Thana- SAHEBPUR KAMAL District- Begusarai

Chandan Yadav @ Chandan Kumar Yadav, aged about 25 years, Male, Son of Ujagar Yadav, resident of Village, Raghunathpur Tihlu Tola, P.S. Sahebpur Kamal, District, Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Opposite Party/s : Mr. Anand Kishore Choudhary

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

2      11-03-2019                      Let the defect (s) as pointed out by the Stamp Reporter be ignored.

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 25(1-b)/A/26/35 of the Arms Act and Sections 37(b) and 37(c) of the Excise Act.

Informant who is a Police Officer has alleged that on 09.01.2019 after receiving secret information, he along with the police party reached at the *dalan* of one Foro Yadav and after seeing the police party, accused persons tried to escape but out of six, five were apprehended on the spot. Petitioner managed to escape. From the possession of the five apprehended persons, pistols and live cartridges were recovered and one co-accused,



Dharmendra Kumar was also found in drunken condition.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. It has been submitted that name of the petitioner has surfaced in this case on the confessional statement made by the co-accused Photo Yadav with whom petitioner has inimical term and except said confessional statement, there is no any other incriminating material against the petitioner. Petitioner is in custody since 11.01.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Sahebpur kamal P.S. Case No. 11 of 2019 with following 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 the Court and his absence on two consecutive dates without sufficient reason, 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)**

Sanjay/-

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