

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19839 of 2019

Arising Out of PS. Case No.-528 Year-2018 Thana- JOGAPATTI District- West Champaran

RAGHAV YADAV, age 40 years, (M), Son of Sri Kanchan Yadav, Resident of
Village - Ramna, P.S.- Jogapatti, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr.Nand Kumar (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 02-04-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail registered
for the offences punishable under Sections 399 and 402 of the
Indian Penal Code and Sections 25(1-B)(a) 26/35 of the Arms
Act. 1959.

Allegation is recovery of one double barrel gun and
five live cartridges 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. Similarly placed co-accused has
been granted bail by co-ordinate bench of this court vide order
dated 26.03.2019 passed in Cr. Misc. No. 16919 of 2019.
Petitioner has no criminal antecedent and is in custody since



24.10.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Jogapatti P.S. Case No. 528 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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