

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19803 of 2019**

Arising Out of PS. Case No.-403 Year-2018 Thana- KHAGARIA District- Khagaria

MANTUN YADAV @ MANTU YADAV, Son of Asharfi Yadav
@ Pongl Yadav, aged about 50 years, Gender, Male, Resident of
Village - Labh Gaon, (Gangia), P.S.- Gangaur, Distt - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajkumar Rajesh

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 02-04-2019 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.

Allegation against the petitioner is recovery of one
country made pistol and four live cartridges from his possession.

It has been submitted on behalf of the petitioner that
he is innocent and has falsely been implicated in this case.
Petitioner has criminal antecedent and he is in custody since



18.06.2018.

Considering the facts and circumstances of the case and nature of allegation and also the fact that petitioner has criminal antecedent, I am not inclined to enlarge the petitioner on bail at this stage. Hence, the prayer for bail of the petitioner is hereby rejected.

However, it is observed that the petitioner named above be released on bail, **after completing one year in judicial custody**, 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 Khagaria (Gangour) P.S. Case No. 403/2018, 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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