

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52472 of 2019

Arising Out of PS. Case No.-191 Year-2019 Thana- BIHARSHARIF District- Nalanda

RAJ KUMAR YADAV, aged about 22 years, Gender, Male, Son of Raju Yadav, Resident of Village- Banouliya, Police Station- Bihar, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Chaudhary

For the Opposite Party/s : Mr.Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 27-11-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offences punishable under Sections 25(1-B), A and 26 of the Arms Act.

Allegation against the petitioner is recovery of one country made pistol with a live cartridge 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 is in custody since 26.03.2019.

Considering the facts and circumstances of the case and nature of allegation and petitioner having criminal antecedent, I am not inclined to enlarge the petitioner on bail. Hence, the prayer for bail of the petitioner is hereby rejected.



However, **after completing 1 year in jail custody**, 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 Bihar P.S. Case No.191 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)

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