

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73606 of 2019

Arising Out of PS. Case No.-38 Year-2019 Thana- BUXAR INDUSTRIAL District- Buxar

SANJAY KUMAR @ SANJAY YADAV Son of Sree Ram Singh Yadav
Resident of Village-Gurudas Mathia, Lal Ganj, P.S.-Buxar (Muffasil),
District-Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 25-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Buxar (Industrial) P.S. Case No. 38 of 2019
registered for the offence punishable under Sections 25(1-b)a,
25(1-AA), 26, 29 and 35 Arms Act.

Informant is the police personnel, who stated in his
self statement that he received information that on 09.03.2019 at
1:00 PM one person is standing with arms and upon receiving
said information he alongwith other police personnel reached
the place of occurrence and saw the person standing there who
started fleeing upon seeing the police and was apprehended after
chase and one country made pistol with magazine and two live



cartridges were recovered from his possession. He disclosed the name of his associates which included the name of petitioner.

It has been submitted on behalf of petitioner that he is innocent and has been falsely implicated in this case only on the statement of accused. Nothing has been recovered from his possession. It has been further submitted that similarly placed co-accused, namely, Anil Chaudhary, Dharmendra Paswan have already been granted bail by a co-ordinate Bench of this Court as contained in Annexure-2 series. Petitioner has no criminal antecedent and is in custody since 19.08.2019.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned court below, in connection with Buxar (Industrial) P.S. Case No. 38 of 2019 subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his



bail bond.

(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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