

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68811 of 2018

Arising Out of PS. Case No.-12 Year-2018 Thana- LADANIA District- Madhubani

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Sri Dev Yadav, Son of Bhutai Yadav, Resident of Village- Bidyanagar, P.S.-
Sukhipur, District- Sirha (Nepal).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Sri Gagan Deo Yadav
For the Opposite Party/s : A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 30-01-2019 Heard Sri Gagan Deo Yadav, learned counsel for the

petitioner and learned Additional Public Prosecutor.

This is second attempt for grant of bail on behalf of
the petitioner in connection with Ladaniya P.S. Case No. 12 of
2018 registered for the offence under Section 25(1-b)A and 26
of the Arms Act, 1959. On last occasion, by order dated:
07.05.2018 passed in Cr. Misc. No. 27783 of 2018 prayer for
bail of the petitioner was rejected, however, it was observed that
if no adequate progress takes place in the case the petitioner
would be at liberty to renew his prayer for bail after completion
of nine months of his custody.

In this case, a report was called for from the court
below regarding the stage of the case which has been received
and kept at flag 'B. Report contained in letter no. 07/2019 dated



15th January, 2019 sent under the signature of A.C.J.M. -IV, Madhubani indicates that charge has already been framed on 03.11.2018. Despite issuance of summons, till date not even a single witness has been examined. Considering the last observation, it is desirable to pass favourable order.

Let the petitioner -Sri Dev Yadav be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.- III, Madhubani / concerned court in connection with Ladaniya P.S. Case No. 12 of 2018 with condition that:- (1) one of the bailors must be blood relation of the petitioner; and (2) on each and every date during the trial the petitioner shall remain physically present in court. If continuously on two dates he remains absent without prior permission of the trial court, his bail bond shall stand automatically cancelled.

(Rakesh Kumar, J)

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