

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70287 of 2019

Arising Out of PS. Case No.-314 Year-2019 Thana- ISLAMPUR District- Nalanda

Sikander Yadav @ Sikandar Yadav S/o Ramvriksh Yadav, R/o Village-
Chulahan Bagha, P.S.- Islampur, District- Nalanda

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ravi Shanker Pankaj, Advocate
For the Opposite Party/s : Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Islampur P.S. Case No. 314 of 2019 corresponding to GR No. 1475 of 2019 registered for the offences punishable under Sections 25(1-b)a/26 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is innocent poor labourer who used to reside Gujrat for his livelihood and he has falsely been implicated in this case. It is further submitted that the petitioner has no concern with the alleged firearm and nothing has been recovered either from the petitioner's house or from his possession. Petitioner is in custody since 02.09.2019.



Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case, whereunder it is being submitted that this petitioner is working as labourer in the State of Gujrat, his brother is staying here in the house and its being a joint house when the petitioner was here in course of raid the recovery of loaded gun has been made. Submission is that it was not in conscious possession of the petitioner, he has remained in custody since 02.09.2019 and now investigation is complete and charge-sheet has already been filed, let the petitioner above named be released on bail in connection with Islampur P.S. Case No. 314 of 2019 corresponding to GR No. 1475 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate III, Hilsa, Nalanda, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and



(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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