

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80691 of 2019

Arising Out of PS. Case No.-290 Year-2019 Thana- LAHERIMUHALLA District- Nalanda

1. Jonny Kumar Yadav @ Jonny Kumar, Son of Jhulan Yadav
2. Rajat Kumar, Son of Bishram Yadav
Both are Resident of Village- Musapur Zorabganj, Police Station- Korha,
District- katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7

For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 13-12-2019 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners in the present case are seeking regular
bail in connection with Laheri P.S. Case No.290 of 2019 registered
for the offence punishable under Sections 25(1-b)a/26/35 of the
Arms Act.

Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in this
case. Learned counsel submits that no incriminating articles were
recovered from the conscious possession of the petitioners.

Learned APP has opposed the prayer for bail.

Considering the facts and circumstances of the case
wherein these petitioners are said to have been apprehended on



chase, from the possession of petitioner no.1 one mobile phone and two live cartridges and cash of Rs.5 lacs has been recovered whereas from possession of petitioner no.2 one loaded country made pistol and one live cartridge has been recovered and it is the submission of learned counsel for the petitioners that for the same alleged occurrence a separate case being Laheri P.S. Case No.289 of 2019 has been registered on the same day under Sections 392/412 of the Indian Penal Code and this case has been registered only under the provisions of the Arms Act and there is no previous case under the provisions of the Arms Act against the petitioners, let the petitioners above named be released on bail on completion of six months of custody in this case on furnishing bail bond of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda (Biharsharif) in connection with Laheri P.S. Case No.290 of 2019, 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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