

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79471 of 2019

Arising Out of PS. Case No.-309 Year-2019 Thana- GOGRI District- Khagaria

Rajesh Yadav, Son of Prakash Yadav, Resident of Village - Borna Navtolia,
P.S.- Gogri, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh

For the Opposite Party/s : Mr.Pancha Nand Pandit

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner in the present case is seeking regular bail
in connection with Gogri P.S. Case No.309 of 2019 registered for
the offence punishable under Sections 25(1-b)a/26 of the Arms
Act.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this case.
Learned counsel submits that the nothing has been recovered from
the possession of the petitioner.

Learned APP has opposed the prayer for bail.

Considering the facts and circumstances of the case
wherein it is the submission of learned counsel for the petitioner
that the police has arrested this petitioner and got prepared a



seizure list with the help of two police personnel, there is no independent witness to the seizure list and that the petitioner has remained in custody for about three months by now, there being one case on his head in which learned counsel for the petitioner submits that he is on bail, let the petitioner above named be released on bail on completion of four months of custody on furnishing bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Gogri P.S. Case No.309 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.

Before issuance of release order, the court below shall verify from the records with regard to the assertion of the



petitioner that he is on bail in Maheshkhunt P.S. Case No.115 of 2019. One of the bailors of the petitioner shall be a family member having no criminal antecedent and in case the petitioner is found involved in similar offence in future, the investigating officer shall take steps for cancellation of bail of the petitioner in this case also.

(Rajeev Ranjan Prasad, J)

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