

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2949 of 2020

Arising Out of PS. Case No.-237 Year-2019 Thana- SAUR BAZAR District- Saharsa

Raj Kishore Yadav S/o Siya Ram Yadav, R/o Village- Sahasram, P.S.- Sour Bazar, District- Saharsa.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Advocate

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-01-2020 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 Sour Bazar (Patarghat O.P.) P.S. Case No. 237 of 2019 registered for the offences punishable under Sections 25(1-b), 26, 35 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that nothing incriminating article has been recovered from the possession of the petitioner rather the petitioner has been allegedly arrested with a loaded country made pistol and prior to this case the petitioner had no criminal antecedent but after this case he has been brought in another case in which he is not named. The petitioner is in custody since



15.06.2019.

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

Considering the facts and circumstances of the case and the submission of learned counsel for the petitioner that in this case the petitioner has been allegedly arrested with a loaded country made pistol and prior to this case the petitioner had no criminal antecedent but after this case he has been brought in another case as stated in Paragraph '3' of the application in which he is not named and further submission that the petitioner is in custody in this case since 15.06.2019, the investigation is complete and the charge-sheet already filed, let the petitioner above named be released on bail in connection with Sour Bazar (Patarghat O.P.) P.S. Case No. 237 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 Chief Judicial Magistrate, Saharsa, 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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