

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10270 of 2020

Arising Out of PS. Case No.-171 Year-2018 Thana- CHANDAN District- Banka

KAILASH YADAV, aged about 26 years (Male), Son of Mohan Yadav,
Resident of Village Muhalla - Malchak, P.S.- Harpur, District- Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sanjiv Kumar Singh, Advocate.
For the Opposite Party : Mr.Lalan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For
Orders' under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offences under Sections 399, 402 of the IPC and 25(1-b)a, 26
and 35 of the Arms Act.

The prosecution case, in short, is that on 18.10.2018
during the night patrolling, the informant apprehended co-
accused Rupesh Kumar Singh and Mithun Kumar and recovered
arms from their possession. Co-accused Mithun Kumar
disclosed that this petitioner was also with them and they were
planning to commit dacoity on the strength of fire arms.

It has been submitted on behalf of the petitioner that



the petitioner is in custody since 30.08.2019 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering with the witnesses alleged against the petitioner. No arms is alleged to have been recovered from possession of the petitioner. The name of the petitioner has come in the present case on the basis of disclosure made by co-accused Mithun Kumar.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner, above named, is directed to be released on bail on his personal bond to the satisfaction of learned C.J.M. Banka in connection with G.R. No. 3527 of 2018, arising out of Chandan P.S. Case No. 171 of 2018.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

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(Sudhir Singh, J)

