

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18369 of 2020**

Arising Out of PS. Case No.-19 Year-2019 Thana- ADHAOURA District- Kaimur (Bhabua)

Awadh Lal Yadav @ Bhulani Son of Teju Yadav @ Teju Singh Resident of
Village - Salya, P.S.- Adhaura, Distt - Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Nagendra Prasad

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 04-06-2020 The matter has been taken up through virtual court proceeding.

Heard learned counsels for the petitioner and the State.

The petitioner, who is languishing in custody since 13.04.2019, has preferred the present application for grant of bail in a case registered for the offences punishable under Sections 25(1-B)a, 26 and 35 of the Arms Act.

The prosecution case, as per the self statement of Dharmendra Singh, Inspector -cum-S.H.O., Adhaura Police Station, recorded on 12.04.2019 at 12.30 P.M., is to the effect that one Hari Yadav, being a veteran criminal, who is accused in a case of kidnapping and murder, was arrested, who disclosed that his brother-in-law, Awadh Lal Yadav, the petitioner has also



participated in kidnapping. He further confessed that the petitioner concealed firearm in the house of co-accused Ram Sagar Yadav. Consequently, raid was laid when the petitioner was apprehended and from his possession, one country made pistol, three live cartridges and one empty cartridge were recovered.

It is submitted by learned counsel for the petitioner that the investigation has already been concluded and the petitioner is languishing in custody since 13.04.2019. A statement has been made in paragraph no. 3 of the petition that the petitioner is accused in three other cases, out of which in two cases, he is on bail.

Learned APP submits that recovery has been made from the possession of the petitioner.

Considering the nature of recovery, period under custody and the investigation already being concluded, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Adhoura P.S. Case No. 19 of 2019.

However, in view of the present pandemic COVID-



19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties including one surety given at the time of provisional bail of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Adhokra P.S. Case No. 19 of 2019.

The learned Court below will be at liberty to extend the further period of provisional bail if the lockdown is not over in next three months.

(Dinesh Kumar Singh, J)

Amrendra/-

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