

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19855 of 2020

Arising Out of PS. Case No.-280 Year-2019 Thana- CHAUSA District- Madhepura

Jai Krishna Yadav, Son of Late Janardan Yadav, Resident of Village - Fulaut
(East)Ward No.05, P.S.- Chausa (Fulaut O.P.), Distt.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha, Advocate

For the Opposite Party/s : Smt. Suman Kumari, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 24-06-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Chausa (Fulaut O.P.) P.S. Case No.280 of 2019 corresponding to CIS No.1196/2019 instituted for the offence punishable under Sections 25(1-B)a, 26 of the Arms Act.

The case of the prosecution is that during patrolling,



the petitioner has been arrested and one country-made pistol and three live cartridges were recovered from his possession.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. In the earlier cases pending against the petitioner, as detailed in paragraph 3 of the bail application, he is on bail. In the present case, he is in custody since 04.10.2019. It is submitted that the recovery is not in accordance with law and it is a false case.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Udakishunganj at Madhepura, in connection with Chausa (Fulaut O.P.) P.S. Case No.280 of 2019 corresponding to CIS No.1196/2019, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor



will also undertake to inform the court if there is any change in the address of the petitioner.

- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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