

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20084 of 2020

Arising Out of PS. Case No.-135 Year-2020 Thana- BELHAR District- Banka

Surendra Yadav Son of Nepali Yadav Resident of Village - Bajla, P.S.- Jhajha,
District - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 18-06-2020 Heard learned counsel for the parties through video conferencing.

This relates to grant of bail in Belhar P.S. Case No. 135 of 2020, registered for the offence under Sections 188, 399, 402 of the Indian Penal Code and Sections 25(1-b)a/26/35 of the Arms Act.

The prosecution case is that on 21-04-2020 at about 11:00 AM, on secret information that a gang of criminals had gathered near Banka-Sahebganj road to commit some serious offence, the police went there and caught six persons including the petitioner and recovered country-made pistol, live cartridges and mobile phone from them. It is alleged that from possession of petitioner, one mobile phone with SIM was recovered.

It is submitted on behalf of petitioner that petitioner is innocent and has falsely been implicated in this case due to



village politics. In fact, the mobile phone belongs to petitioner himself and no incriminating article has been recovered from his possession. Petitioner has got clean antecedent and save & except suspicion, there is nothing against him. The petitioner is in custody since 22-04-2020.

Considering the aforesaid facts and circumstances, the bail application is allowed.

Let the above-named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Banka in connection with Belhar P.S. Case No. 135 of 2020 on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”.

(Prabhat Kumar Singh, J.)

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