

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27865 of 2020

Arising Out of PS. Case No.-21 Year-2019 Thana- JAIPUR District- Banka

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BHAIRO PRASAD YADAV @ BHAIRO YADAV @ BHAIKAV PRASAD
YADAV Son of Late Hari Yadav Resident of Village - Kala Charana, P.S.-
Jaipur, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Adv.

For the Opposite Party/s : Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 14-12-2020 Heard the learned counsel for the petitioner
and Sri Amitesh Kumar, the learned APP for the
State.

The petitioner seeks regular bail in connection
with Jaipur P.S. Case No. 21 of 2019, registered for
the offence punishable under Sections 25(1-B)A,
26, 35 of the Arms Act and Sections 3/4 of the
Explosive Substances Act.

The allegation is regarding the informant
along with the police party having raided the
house of the petitioner herein, whereupon three
country made pistols, about 250 gms. Powder,
cartridges, chocolate bomb, Tikli pataka and nails



were recovered.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 7.5.2019. It is submitted by the learned counsel for the petitioner that the petitioner is having a fair antecedent inasmuch as he is an accused only in one other case. It is also submitted that the petitioner has been sufficiently punished and the petitioner is also ready to abide by such conditions as may be deemed fit and proper to be imposed for the purposes of grant of bail.

Per contra, the learned APP has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the period of incarceration of the petitioner herein, I deem it fit and proper to grant regular bail to the petitioner herein, however, subject to certain conditions.



Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Banka in connection with Jaipur P.S. Case No. 21 of 2019.

It is further directed that the petitioner would mark his attendance before the Officer-in-Charge of the concerned police station on each Monday of the week at 10:00 am. and in the event of two consecutive defaults, the present privilege of regular bail, being granted to the petitioner herein, shall stand cancelled automatically.

(Mohit Kumar Shah, J)

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