

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24544 of 2020

Arising Out of PS. Case No.-465 Year-2019 Thana- BALIYA District- Begusarai

Angad Yadav, Male, aged about 26 years, Son of Sagar Yadav, Resident of
Village- Balachak, P.S.- Ballia, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

For the State : Mr.Anzarul Haque Sahara, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 09-12-2020 Heard the parties through the virtual court proceeding.

The petitioner seeks bail in connection with Ballia
P.S. Case No. 465 of 2019 registered for the offences punishable
under Sections 25(1-b)/26 of the Arms Act.

The prosecution case, in short, is that on 11.12.2019 at
about 8.15 A.M., informant S.I. Sintu Kumar Jha got secret
information that some criminals armed with illegal weapons
were conspiring and preparing plane for committing crime at the
house of Suresh Prasad Singh, Adarsh Nagar, Ballia, Begusarai.
He informed the matter to higher authorities and under the
leader ship of S.H.O. Sri Rajesh Kumar Rai with police force
arrived there. Police apprehended one person the renter of the
house, who was trying to flee from there during search of the
house. On query, he disclosed his name as Angad Yadav. On
search of the body of the petitioner, one loaded pistol with
magazine recovered from the waist of the petitioner, there were



five live cartridges in the Magazine of 9 MM, one country made pistol in loaded condition has been recovered from the left side of waist of petitioner and two cartridges from his right pocket.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. He further submits that from bare perusal of F.I.R. and seizure list, it is evident that from the possession of Angad Yadav one loaded 9 MM country made pistol and five live cartridges have been seized. Further from the possession of Angad Yadav, one country made pistol and one live cartridge has been seized. Further from the pocket of Angad Yadav, two live cartridges were also seized but as matter of fact nothing has been seized from the conscious possession of the petitioner and the same has been seized from the rental room of Angad Yadav and only under the preplanned conspiracy this petitioner has been implicated in the present case. He further submits that the accused is in another two cases mentioned in paragraph-3 of the bail petition. Learned counsel for the petitioner further submits that the petitioner is in jail custody since 12.12.2019.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, let the above named petitioner be enlarged on bail after completion of



one year of jail custody on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned C.J.M., Begusarai in connection with Ballia P.S. Case No. 465 of 2019, subject to the following conditions :

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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