

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78506 of 2019

Arising Out of PS. Case No.-221 Year-2019 Thana- CHAUSA District- Madhepura

PAWAN YADAV Son of Late Lakhanlal Yadav Resident of Village - Fulaut
Paschimi, P.S.- Chausa (Fulaut O.P.), District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate Mr. Santosh Kumar Pandey, Advocate
For the State	:	Mr. Pramod Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 19-03-2020 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application for regular bail arises out of
Chausa (Fulaut O.P.) P.S. Case No. 221 of 2019,
disclosing the offences under Sections 399, 402, 414 of the
Indian Penal Code, Sections 25(1-B)a, 26 and 35 of the
Arms Act.

The petitioner and other persons named in the
First Information Report were apprehended by the Police
from a Bolero vehicle, on a tip-off to the effect that they
were preparing to commit dacoity. From the petitioner's
possession, a country made pistol and one live cartridge



were recovered. The petitioner is in custody since 25.07.2019.

Learned Additional Public Prosecutor appearing for the State has referred to the averment made in paragraph-3 of the application to submit that the petitioner has criminal antecedent and, therefore, he does not deserve regular bail at this stage.

On perusal of the First Information Report and submissions advanced on behalf of the parties, it is evident that after apprehension of the petitioner, a country made pistol and one live cartridge were recovered from his possession. There is nothing in the case diary to suggest that the petitioner and others were preparing to commit dacoity.

Considering the facts and circumstances as noted above and the submission that the petitioner is in custody since 25.07.2019, this application is allowed. Let the petitioner, above-named, 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 Sub Divisional Judicial Magistrate, Udakishunganj (Madhepura)** in connection with **Chausa (Fulaut O.P.)**



P.S. Case No. 221 of 2019, subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail Bonds shall be liable to be cancelled.

It is mentioned here that I have taken note of the criminal antecedent of the petitioner as disclosed in paragraph-3 of the application while allowing the petitioner's application for bail on the basis of allegations made in the First Information Report and materials available in the case diary.

(Chakradhari Sharan Singh, J)

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