

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80886 of 2019

Arising Out of PS. Case No.-134 Year-2019 Thana- KUMAR KHAND District- Madhepura

BABUL YADAV Son of Ashok Yadav Resident of Village - Haribola, P.S.-
Kumar Khand, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Yadav

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 14-01-2020 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 25(1-b)a/26/35 of the Arms Act.

Informant is a police officer who in his written complaint has alleged that on 14.07.2019 he received an information that criminals have looted a motorcycle and other articles and on receiving said information, he along with other police personnel reached the place of occurrence and recorded the statement of victim, Manoj Sah and was informed that four miscreants one of whom was Randhir Yadav along with his three associates on two motorcycles have fled away. Thereafter, he reached the house of Randhir Yadav and on seeing the police party, other three managed to escape and from his house stolen motorcycles were recovered and from one of



the miscreants present there, one loaded country made pistol and a live cartridge were recovered from his possession, who disclosed the name of three persons who managed to escape which included the name of the petitioner also.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case only on the statement of co-accused and nothing was recovered from his possession. Petitioner is in custody since 07.08.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Kumar Khand P.S. Case No. 134/2019 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the



evidence or the witnesses of the case, in that case,
prosecution will be at liberty to move for cancellation of
bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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