

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13229 of 2021**

Arising Out of PS. Case No.-364 Year-2020 Thana- MAKHDUMPUR District- Jehanabad

Guddu Yadav @ Sanjay Kumar Son of Baleshwar Prasad Resident of Village
- Mandil, Police Station - Parasbigha in the district of Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Adv.

For the Opposite Party/s : Smt. Pushpa Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 23-07-2021 In view of sudden resurgence of COVID-19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned counsel for the petitioner and the learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Makhdumpur P.S. Case No.364 of 2020 registered under Sections 25(1-b)a/26 of Arms Act.



Loaded countrymade pistol and five cartridges have allegedly been recovered from the petitioner. He is in custody since 11.09.2020.

Submission of Mr. Sunil Kumar, learned counsel for the petitioner is that it is a case of false implication. The articles have been planted. The petitioner has no criminal antecedent and there is total violation of the mandatory procedure for seizure.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner 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 Chief Judicial Magistrate, Jehanabad in Makhdumpur P.S. Case No.364 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on



each date and if he fails to do so on two consecutive dates, his
bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

Prakash Narayan /-

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