

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19834 of 2021

Arising Out of PS. Case No.-250 Year-2020 Thana- MADHUBANI TOWN District-
Madhubani

=====

Satish Kumar Yadav @ Satish Kr. Son Of Virendra Kumar Yadav Resident Of
Village- Chakki Majurwa (CHAKKI Mayuruwa), Ward No. 11 P.S.-
Sonbarsha, District- Sitamarhi, At Present C/O Harimohan Yadav, Balua Tol,
Gandhi Chowk, Ward No. 13, P.S. And District- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rabindra Nath Kanth

For the Opposite Party/s : Mr. Anil Prasad Singh

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-08-2021 Heard learned counsel for the petitioner and learned A.P.P.
for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the
defects within four weeks of resumption of normal court
proceeding. In the eventuality of non-removal of defects within
undertaken period, the office will place the matter before the
Bench.

The petitioner seeks bail in connection with Madhubani
Town P.S. Case No. 250 of 2020 corresponding to CRI Number
2006/2020 registered for the offence punishable under Sections
399, 402 of the Indian Penal Code and Sections 25 (1-b) a / 26 / 35
of Arms Act.

A country made pistol with magazine having two live



cartridges and a mobile set as along with Rs. 2000/- was allegedly recovered from possession of the petitioner whereas firearm was recovered from possession of co-accused persons.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. No such occurrence as alleged ever took place. He submits that there is no eye witness to support the prosecution case and petitioner has been falsely implicated in this case by the Police. He further submits that similarly situated co-accused person *Jitendra Yadav* has been granted bail *vide* order dated 06.08.2021 in Cr. Misc. No. 17709 of 2021 by a Co-ordinate Bench of this Court and one co-accused namely *Sonu Kumar Mahto* has been granted regular bail from the learned court below *vide* order dated 16.10.2020 in B.P. No. 500 of 2020. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent as has been mentioned in para 3 of this bail petition and he is languishing in custody since 01.10.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below



where the case is pending/successor court in connection with
Madhubani Town P.S. Case No. 250 of 2020 corresponding to CRI
No. 2006 of 2020.

(Anjani Kumar Sharan, J)

GAURAV S./-

U		T	
---	--	---	--

