

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39609 of 2021**

Arising Out of PS. Case No.-71 Year-2021 Thana- PALASI District- Araria

Sikandar Kumar Yadav Son of Bijendra Prasad Yadav Resident of Village-
Betoha, P.S.- Palasi, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma
Mr. Kumar Ravish, Adv.

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2. 05-10-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Palasi P.S. Case No. 71 of 2021, registered for the offence under Section 25(1-b)a / 26 of the Arms Act.

As per the prosecution case, one country-made pistol alongwith one live cartridge has been recovered from the possession of this petitioner.

It is submitted on behalf of petitioner that no incriminating article has been recovered from the possession of this petitioner. Petitioner has no criminal antecedent and he is in custody since 13.04.2021. Chargesheet has already been submitted.

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



Considering the period of custody and clean antecedent of the petitioner, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Palasi P.S. Case No. 71 of 2021, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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