

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 34015 of 2020

Arising Out of PS Case No.-128 Year-2019 Thana- JHAJHA District- Jamui

Atto Yadav @ Ato Yadav, Gender- Male, Aged about 26 years, Son of Shiv Dhari Yadav, Resident of Village - Jurabganj, Police Station- Korha, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No. 7, Advocate
For the State : Mr. Md. Arif, APP

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 10-02-2021

The matter has been heard *via* video conferencing.

2. Heard Mr. Sanjay Kumar No. 7, learned counsel for the petitioner and Mr. Md. Arif, learned In-charge Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

3. The petitioner is in custody in connection with Jhajha PS Case No. 128 of 2019 dated 10.05.2019, instituted under Sections 25(1-B)(a) and 26 of the Arms Act, 1959.

4. This is the second attempt for bail by the petitioner as earlier such prayer was rejected by order dated 13.12.2019 in Cr. Misc. No. 82739 of 2019.



5. The petitioner was caught by the public and the allegation is that he was the person, who had snatched money which was taken out by a lady from the Bank, and the purse of the lady containing Rs. 47,000/- and also countrymade pistol along with one cartridge and a metal object was recovered from him.

6. Learned counsel for the petitioner submitted that for the same offence, two cases were lodged; one the present case under the Arms Act and another case with regard to recovery of money. It was submitted that the petitioner does not have any other criminal antecedent and is in custody since 10.05.2019.

7. Learned APP submitted that the firearms and bag containing the money has been recovered from the petitioner.

8. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Jamui in Jhajha PS Case No. 128 of 2019 subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the



Court that he shall not indulge in any illegal/criminal activity, act in violation of any law/statutory provisions, tamper with the evidence or influence the witnesses. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

9. The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar/Anand Kr.

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