

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45027 of 2021

Arising Out of PS. Case No.-299 Year-2020 Thana- GOGRI District- Khagaria

RAJESH YADAV Son of Visho Yadav Resident of Village- Baraita, P.S.-
Gogri, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Roshan Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-12-2021 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding

in physical mode in normal course.

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Gogri

P.S. Case No. 299 of 2020 registered for the offence under

Sections 25(1-B)a and 26(ii) of the Arms Act.

The case relates to recovery of one country made

pistol along with four live cartridges.

Learned counsel appearing for the petitioner

submits that the petitioner is innocent and has falsely been

implicated in this case. In fact, nothing incriminating has



been recovered from the conscious possession of the petitioner. Merely on the basis of suspicion, this petitioner has been apprehended in this case. The petitioner is rotting in judicial custody since 18.08.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner owns four more cases other than the present one.

Considering the facts and circumstances of the case, 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, Khararia in connection with Gogri P.S. Case No. 299 of 2020 with the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

braj/-

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

