

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46679 of 2021**

Arising Out of PS. Case No.-109 Year-2020 Thana- RAGHOPUR District- Supaul

SONELAL KUMAR @ SONELAL YADAV @ SONU KUMAR @ SONU
YADAV S/o BRAHAMDEV YADAV @ ASHOK YADAV R/o VILLAGE-
BARMOTRA, MAHINATHPUR, WARD No. 6, P.S.- RAGHOPUR,
DISTRICT-SUPAUL.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha, Advocate

For the Opposite Party/s : Mr.APP.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 14-12-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Raghopur P.S.
Case No. 109 of 2020 registered for the offences punishable
under Sections 25(1-b)A, 26 of the Arms Act.

According to prosecution case, on the disclosure made
by petitioner, one country made pistol and two live cartridges
were recovered from the Gohal of the petitioner.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence and he has



falsely been implicated in the present case. No incriminating article has been recovered from conscious possession of the petitioner rather the same has been recovered from Gohal of the petitioner. Petitioner is in custody since 28.05.2020.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner carries five criminal antecedent.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioner, above named, 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 the learned Additional Chief Judicial Magistrate, Birpur at Supaul in connection with Raghapur P.S. Case No. 109 of 2020, subject to 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 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.

3. 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)

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