

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36154 of 2020**

Arising Out of PS. Case No.-129 Year-2020 Thana- BARARI District- Katihar

Sanjay Kumar Yadav @ Fuchwa @ Sanjay Yadav @ Fucho Yadav son of
Raghu Yadav, Resident of Village- Barari, Terasi Tola, Police Station- Barari,
District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Adv.

For the Opposite Party/s : Mr. Narsingh Tanti, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 27-01-2021 Heard the learned counsel for the petitioner and

Shri Narsingh Tanti, the learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with

Barari P.S. Case No. 129 of 2020 for the offence punishable

under Sections 25(1-b) a, 26 of the Arms Act.

The allegation is regarding recovery of one loaded

country made pistol and four cartridges from the petitioner, after

his house was raided by the police.

The learned counsel for the petitioner has

submitted that the petitioner is innocent, has been falsely

implicated in the present case and is languishing in custody

since 12.06.2020. The learned counsel for the petitioner has

further submitted that on account of the bad antecedent of the



petitioner herein, he has been falsely roped in the present case, however, he is ready to abide by such conditions as may be deemed fit and proper to be imposed by this Court.

Per contra, the learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the period of incarceration of the petitioner, though I deem it fit and proper to direct for release of the petitioner on regular bail, but subject to certain conditions.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate Vth, Katihar in connection with Barari P.S. Case No. 129 of 2020.

It is further directed that the petitioner shall mark his attendance before the S.H.O. of the concerned police station at 10 A.M. on each and every Monday of the week and in the event of his failure to do so on two consecutive occasions, the present privilege of regular bail being granted to the



petitioner herein shall stand cancelled automatically and the
petitioner shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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