

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9121 of 2021

Arising Out of PS. Case No.-113 Year-2020 Thana- KUSHESHWARASTHAN District-
Darbhanga

Sanjay Kumar Yadav @ Sanjay Yadav Son of Ram Binod Yadav @ Ram
Vinod Ray, Resident of Village- Sanichara, P.S.- Kusheshwar Asthan, District-
Darbhanga. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 02-07-2021 In view of sudden resurgence of COVID-19 infection

there is limited functioning of the High Court and therefore the

matter has been listed for consideration through virtual mode.

Heard learned counsel for the petitioner and the learned
APP for the State.

This Court would expect that the petitioner's Counsel
would honour his undertaking in the instant proceedings regarding
supply of requisite court fee etc. within two weeks from the date
he is called upon to do so by the office.

Petitioner seeks bail in Kusheshwar Asthan P.S. Case
No.113 of 2020 registered for offence punishable under sections
25(1-b)a,26/35 of the Arms Act.

It is alleged recovery of a country made pistol and live
cartridge from the petitioner.

Petitioner's counsel submits that it is a case of false
implication. Recovery is not in accordance with law. Petitioner is



in custody since 04.05.2020. He is stated to be on bail in the two cases pending against him since before.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Biraul at Darbhanga in Kusheshwar Asthan P.S. Case No.113 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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