

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7307 of 2021

Arising Out of PS. Case No.-438 Year-2019 Thana- JAYNAGAR District- Madhubani

SHATRUDHAN YADAV Son of Late Ganga Prasad Yadav Resident of Ward
No.10, Village- Gobrahi, P.S.- Jaynagar, Distt- Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-06-2021

In view of sudden surge 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 Jaynagar PS Case No. 438 of 2019 registered under Sections 34 of the Explosive Substances Act and Section 27 of the Arms Act.

The police, on a tip that illegal act is likely to be committed at brick kiln, reached the place. Three country made bombs and one "khokha" of cartridge and some other articles have been recovered.

Learned Counsel for the petitioner submits that there is no recovery of any incriminating material from the petitioner. He was not present at the time and place of recovery. Recovery is from an



open paddy field near the brick kiln (Chimni) of Ram Babu, with which the petitioner has no concern. His implication is on the basis of confessional statement of co-accused Lala Mishra, who has already been granted bail by this Court. From Raj Nagar PS Case No. 32 of 2017 he has been remanded in various other cases. In the instant case he is in custody since 20.6.2020, i.e. more than a year.

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 SDJM, Madhubani in Jaynagar PS Case No. 438 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving 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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