

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9662 of 2021**

Arising Out of PS. Case No.-306 Year-2020 Thana- WARISLIGANJ District- Nawada

RAKESH KUMAR @ RAKESH KUMAR YADAV Son of Late Tunnu Yadav
Resident of Village- Naya Tola, Junbaganj, P.S.- Korha, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra
For the Opposite Party/s : Mr.Chandra Bhushan Pd. APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 22-07-2021 This matter is taken up for consideration through
Video Conferencing under the orders of Hon'ble the Chief
Justice.

Heard both parties.

The petitioner seeks bail in Warsaliganj P.S. Case No.
306 of 2020, registered for the offence punishable under
Sections 25(1-b)a, 26 and 35 of the Arms Act.

As per the prosecution case, one country made pistol
and two live cartridges have been recovered from possession of
this petitioner.

It is submitted on behalf of the petitioner that no
incriminating article has been recovered from possession of this
petitioner. Petitioner claims clean antecedent and he is in
custody since 09.09.2020. Investigation is complete.



Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged 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 Sessions Judge II, Nawada in connection with Warsaliganj P.S. Case No. 306 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

vinita/-

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