

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10201 of 2022**

Arising Out of PS. Case No.-199 Year-2021 Thana- MADHEPUR District- Madhubani

Satya Narayan Yadav Son of Rati Lal Yadav Resident of Village- Mehsha,
P.S.- Bheja, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 09-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within two weeks
of the complete start of the physical Court in normal course.

The petitioner seeks bail in connection with
Madhepur P.S. Case No. 199 of 2021, corresponding to G.R.
No. 1854 of 2021 registered for the offence under Sections
25(1-b)a and 26 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 23.11.2021.

As per the F.I.R., a carbine has been recovered from
the side bag of the petitioner's motorcycle.

Learned counsel appearing on behalf of the petitioner
submitted that alleged recovery has been made from the side



bag of the motorcycle of the petitioner which was parked near Kishan Bhawan, E Block, Madhepura. It has further been submitted that from the perusal of the seizure list itself, it can be said that the recovery is not from the conscious possession of the petitioner. While arguing over the matter, it has further been submitted that petitioner is a man of clean antecedent and further chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State while opposing the prayer for bail fairly conceded that accused/petitioner is a man of clean antecedent.

Considering the facts and circumstances as mentioned above, as the recovery has not been made from the conscious possession of the petitioner coupled with the fact that petitioner is a man of clean antecedent, let the petitioner, above named, is directed to be released on bail in connection with Madhepur P.S. Case No. 199 of 2021, corresponding to G.R. No. 1854 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- 1st, Jhanjharpur, subject to the following conditions:

“(i) That accused/petitioner shall



not involve in the similar nature of offence till the conclusion of trial, failing the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be properly represented on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground duly supported by the documents.

(iii) That one of the bailors shall be the close relative of the accused/ petitioner like mother/father/sister/brother.”

(Chandra Shekhar Jha, J)

Ankit/-

U		T	
---	--	---	--

