

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11443 of 2022**

Arising Out of PS. Case No.-413 Year-2021 Thana- BANMANKHI District- Purnia

Manoj Yadav @ Manoj Kumar Yadav, Son of Late Durga Prasad Yadav, R/O
Village- Sarsi, P.S.- Sarsi, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Bidhu Ranjan, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER**

2 04-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Banmankhi P.S. Case No. 413 of 2021 registered for the alleged offences under Sections 25(1-b)a, 26 of the Arms Act.

Allegedly, on receipt of secret information, the petitioner was apprehended and from his possession, a country made automatic pistol with six live cartridges were recovered.

The learned counsel for the petitioner submits that nothing has been recovered from the conscious possession of



the petitioner and he has been falsely implicated in this case. When the petitioner was taken into custody in an earlier case in which he was not named, the police hatched a conspiracy and lodged another case showing recovery of firearms from the possession of the petitioner in this case. The petitioner is in custody since 28.11.2021. The charge sheet has been submitted.

Learned APP opposes the prayer for bail submitting that the petitioner is having criminal antecedent and he was arrested with a loaded pistol and six live cartridges.

Having regard to the submissions made hereinabove and considering the fact that the charge sheet has been submitted and further considering the period of custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Banmankhi P.S. Case No. 413 of 2021, subject to the following conditions :

(i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of



the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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