

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12329 of 2022**

Arising Out of PS. Case No.-353 Year-2021 Thana- LAUKAHA District- Madhubani

SUDHIR KUMAR YADAV Son of Hari Narayan Yadav Resident of Village-  
Barail, P.S.- Babubarhi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr. Ajit Kumar, APP.

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      13-06-2022                      Heard learned counsel appearing on behalf of the  
petitioner and learned A.P.P. for 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 regular bail in connection with Laukaha P.S. Case No. 353 of 2021 for the offence punishable under Section 414/34 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

As per the allegation made in the F.I.R., two mobile phones of Realme company and one wrist watch were recovered from the possession of the petitioner. Other incriminating articles were recovered from co-accused Navin Kumar Kamat. Petitioner was apprehended on the spot and accordingly seizure



list was prepared.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that he has made specific statement in Para-10 of the bail application that he is the owner of the two mobile phones of Realme Company and wrist watch also belongs to him which can be verified from the two mobile phones which were seized from the possession of the petitioner. Petitioner is in custody since 20.11.2021.

Mr. Ajit Kumar, learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner. He submits that petitioner is involved in criminal activity and to that effect one criminal antecedent has been mentioned in Para-3 of the bail application, as such the petitioner does not deserve to be released on bail.

Considering the nature of allegation made in the F.I.R., recovery is of two mobile phones and one wrist watch, petitioner has made specific statement in Para-10 of the bail application that the two mobile phones and one wrist watch belong to the petitioner and he is the valid owner of the mobile phones and wrist watch, petitioner is in custody since 20.11.2021, the petitioner, above named, is directed to be



enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Jhanjharpur, Madhubani in connection with Laukaha (Lalmaniya) P.S. Case No. 353 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) 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.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

**(Purnendu Singh, J)**

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