

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12577 of 2022

Arising Out of PS. Case No.-358 Year-2021 Thana- ALOULI District- Khagaria

SANJEEV KUMAR @ BAUA YADAV, Son of Shree Bisheshwar Yadav @ Visheshar Yadav Resident of Village - Gamhariya, P.s.- Alauli, Distt.- Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajit Kumar

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 29-06-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seek bail in connection with Alauli
P.S. Case No. 358 of 2021, registered for the offences
punishable under Sections 25 (I-B)a, 26,27 of Arms Act.

As per allegation, the petitioner was apprehended
with one loaded country made Katta.

The learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. The present F.I.R. has been lodged against the
petitioner on account of enmity and there is no recovery
from him and the recovered arm, in fact, has been planted



and the seizure is also not done as per the provisions of Cr.P.C.

The petitioner is in custody since 25.09.2021.

It is also stated in paragraph no. 2 of the petition that petitioner has not moved earlier before this Hon'ble Court for grant of anticipatory bail or regular bail.

It has further been stated that the petitioner has no criminal antecedent.

However, the learned APP for the State has opposed the prayer for bail.

Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. IV, Khagaria in connection with Alauli P.S. Case No. 358 of 2021 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that



investigation/trial will not hamper on account of this absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, the learned court below shall cancel the bail bond of the petitioners after hearing him and getting satisfied that the petitioner has concealed their criminal antecedents despite their knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to



remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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