

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12985 of 2022

Arising Out of PS. Case No.-98 Year-2020 Thana- PANCHRUKHI District- Siwan

KRISHNA YADAV, S/o Harilal Yadav Resident of Village- Mahpur, P.S.-
Sarai O.P., District- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Devendra Kr. Sinha, Sr. Advocate Mr. Ajay Kumar Pandey, Advocate
For the Opposite Party/s :	Mr. Pawan Kumar Chaurasia, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-03-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

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

The petitioner seeks regular bail in connection with
S.T. No. 276 of 2020, arising out of Pachrukhi P.S. Case No. 98
of 2020, for the offence punishable under Section 413 and 414
of the Indian Penal Code and Section 25(1-b)a, 26 and 35 of the
Arms Act.

The prosecution story, in brief, is that name of the
petitioner has surfaced on the basis of confessional statement of
one co-accused Kalicharan Prasad from whose possession, the
arms and other articles were recovered.

Learned counsel appearing on behalf of the petitioner



submits that the petitioner has been implicated in this case simply because several cases are pending against him. He further submits that petitioner has been roped in this case on the basis of confessional statement of co-accused Kalicharan Prasad made in the Police custody, which has no evidentiary value. The petitioner, who is in custody since 16.10.2020 be released on bail.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner. He further submits that several cases are pending against the petitioner and if the petitioner is released on bail that will not be in public interest.

Considering the aforementioned facts and circumstances of the case, without going into the merits of the case, considering the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-III, Siwan in connection with S.Tr. No. 276 of 2020, arising out of Pachrukhi P.S. Case No. 98 of 2020, 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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