

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14254 of 2022

Arising Out of PS. Case No.-32 Year-2020 Thana- NARPATGANJ District- Araria

KEWAL YADAV Son of Late Puhup Lal Yadav Resident of Village - Bela
Ward no.8, P.s.- Narpatganj, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha
For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 13-07-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within one

month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the

offence punishable under Section 414 of the Indian Penal Code and

sections 25(I-b)a, 26 of the Arms Act.

As per allegation informant and others found the

petitioner in suspicious condition and he was caught after chase and

on query made by the villagers petitioner confessed that he had

hidden arms and motor parts in the pond from where the same was

recovered and thereafter petitioner was handed over to the police

with the said weapon and motor parts.

The main submissions advanced by the learned counsel

for the petitioner are that against the petitioner six criminal cases



have been shown as his criminal antecedent and he has been languishing in jail since 25.1.2020. In the present case, allegation in the FIR is concocted and false.

Learned APP opposes the prayer for bail.

Heard both sides and perused the FIR. Though against the petitioner there is criminal antecedent of several cases but considering his custody period relating to the present case and mainly the fact that alleged arms and motor parts were recovered by a private person and same was produced to the police. Accordingly, lenient approach may be taken in respect of the petitioner. Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate III, Araria in Narpatganj (Basmatiya) P.S Case No. 32 of 2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(3) One of the bailers shall be close relative of the



petitioner who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J)

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