

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15435 of 2022

Arising Out of PS. Case No.-480 Year-2021 Thana- RAJAON District- Banka

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Pritam Kumar Yadav Son Of Manoj Yadav, Resident Of Village - Sakhara,
P.S. - Nawada Bazar O.P., Dist.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhakar Kumar, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-07-2022 Heard learned counsel appearing on behalf of the

petitioner and learned APP for the State.

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

Petitioner, who is in custody since 10.12.2021, seeks
regular bail in connection with Rajoun P.S. Case No. 480 of
2021 registered for offences punishable under Sections 25(I-b)
a/26 of the Arms Act.

As per the allegation made in the FIR, two live
cartridges and a country-made *katta* was recovered from the
possession of the petitioner. Accordingly, seizure list was
prepared and a copy was also handed over to the petitioner.

Learned counsel appearing on behalf of the petitioner
submits that petitioner is innocent and has falsely been



implicated in the present case due to dirty village politics. Petitioner has clean antecedent and he is in custody since 10.12.2021. There is no chance of absconding or tampering and hence petitioner deserves to be released on bail.

Learned A.P.P., for the State has vehemently opposed the prayer for grant of bail to the petitioner.

Considering the facts and circumstances of the case, period of custody undergone by the petitioner, petitioner has clean antecedent and there being no allegation of tampering the evidence or influencing the witnesses and trial is also not likely to be concluded in near future, the petitioner, above named, is directed to be enlarged on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Rajoun P.S. Case No. 480 of 2021 subject to the following conditions:

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

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

(iii) 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.

(iv) 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 bond.

(Purnendu Singh, J)

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