

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14950 of 2022

Arising Out of PS. Case No.-289 Year-2021 Thana- JHAJHA District- Jamui

SUMIT KUMAR YADAV @ SHOBHIT YADAV, Son of Lato Yadav
Resident of Village - Jagiyatilha, P.S. -Jhajha, Dist. - Jamui.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Parmeshwar Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-06-2022 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
Jhajha P.S. Case No. 289 of 2021, for the offence punishable
under Section 25(1-b)a, 26(i) of the Arms Act.

The allegation is recovery of country made rifle
(Masket) and one live cartridge from the possession of the
petitioner.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner has falsely been implicated in this
case due to dirty village politics. He further submits that the
petitioner is forced to put his signature on the seizure-list, no
arms and ammunition have been recovered from the possession



of the petitioner. The petitioner is in custody since 20.01.2022.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner and submits that petitioner has criminal history and in the present case, several arms and ammunition were recovered from the possession of the petitioner, as such petitioner does not deserve to be released on bail.

Taking into consideration the nature of allegation as well as period of custody undergone by the petitioner, 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 Chief Judicial Magistrate, Jamui in connection with Jhajha P.S. Case No. 289 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.

(5) The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically loose its force.

(6) The petitioner will make his attendance before the concerned Police Station under which his house is located every fortnight till conclusion of the trial and on any single default without any valid reasons on the part of the petitioner, his bail bonds shall be cancelled and the concerned SHO of the Police Station shall submit his monthly attendance report to the Superintendent of Police having jurisdiction.

(Purnendu Singh, J)

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