

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25221 of 2021**

Arising Out of PS. Case No.-86 Year-2020 Thana- ADHAOURA District- Kaimur (Bhabua)

Birendra Yadav @ Bhorik Yadav S/o Late Shiv Prasad @ Jhanjhat Singh,  
Resident of Village- Budhwa, P.S.- Rohtas, District- Rohtas. At present  
resident of Village- Nandu Simra, P.S.- Chenari, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP.

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**

ORAL ORDER

15    26-09-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner seeks confirmation of bail in connection with Adhaura P.S. Case No. 86 of 2020, lodged under Sections 25 (1-b)a, 26 of Arms Act read with Section 10/12 of U.A.P. Act.

The categorical stand of the petitioner is that the present petitioner has surrendered before the Court under Surrender-cum-rehabilitation Policy in the light of the policy of the Home Department, Government of Bihar which is annexed as Annexure-A of the counter affidavit filed by the Superintendent of Police, Kaimur at Bhabhua

Learned counsel for the petitioner submits that there are 8 criminal cases pending against the petitioner and he is on

bail in all pending cases. Learned counsel for the petitioner further submits that petitioner is in custody since 17.12.2020.

Learned counsel for the State submits that petitioner has surrendered in the light of Surrender-cum-rehabilitation Policy of the Government of Bihar.

State is under obligation to follow its own policy.

In this background, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned J.M.-1<sup>st</sup> Class, Kaimur at Bhabhua in connection with Adhaura P.S. Case No. 86 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other conditions that petitioner shall co-operate in trial as well as shall not involve in such type of cases in future, violation of these conditions shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

**(Dr. Anshuman, J.)**

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