

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23886 of 2022

Arising Out of PS. Case No.-151 Year-2021 Thana- MEDNI CHAUKI District- Lakhisarai

Manish Kumar Son of - Popal Yadav @ Popal Yadev Resident of Village -
Navtolia Sadh Baba Tola, P.S. - Mednichauki, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 02-08-2022 Let the defects, if any, be removed within four weeks
from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection
with Mednichauki P.S Case No. 151 of 2021 for the offences
punishable under Sections 25(1-B)a, 26 of the Arms Act.

As per the prosecution case, it is alleged that the
police raided the house of the petitioner and on search, one
country made loaded Katta and five live cartridges were
recovered from his possession

It is submitted by the learned counsel for the petitioner
that only on account of past criminal antecedent the petitioner
was apprehended and country made loaded katta and live



cartridges have been shown to be recovered from his possession. It is further submitted that due to political rivalry as the wife of the petitioner was a candidate of Mukhiya and further contesting candidate, in collusion with each other, implicated the name of the petitioner in this case. It is next submitted that so far criminal antecedent is concerned, all the cases are of petty offences.

On the other hand, learned counsel for the State opposed the bail application of the petitioner and submits that arms and ammunitions have been recovered from possession of the petitioner and he is having four criminal antecedent.

Having heard the rival contentions of the parties and taking into consideration the fact that petitioner is in custody since 23.12.2021 and moreover, investigation is already concluded and the charge sheet has been submitted, apart from that there is other irregularities in preparation of seizure list, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Lakhisarai in connection with Mddnichauki P.S Case no. 151 of 2021 subject to the condition that one of the bailors will be the close relatives of the petitioner



with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The Court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancelling of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above- mentioned order shall not be delayed for purpose of or in the name of verification.

(Harish Kumar, J)

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