

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23500 of 2022

Arising Out of PS. Case No.-626 Year-2021 Thana- MAHUA District- Vaishali

Shravan Yadav @ Tinku Yadav S/o Late Madan Yadav R/o village- Rawtara,
P.S.- Rawtara, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Babita Singh, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No.2, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 01-09-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Mahua P.S. Case No. 626 of 2021 lodged under Sections
413/414/420/467/468 of the I.P.C. read with Sections 25(1-
b)a/26/35 of the Arms Act.

As per the prosecution case, the petitioner and
others were apprehended by the police during routine vehicle
check-up period. Recovery of one desi loaded pistol, 3 live
cartridges, one motorcycle alleged to be recovered from the
possession of the petitioner.

Learned counsel for the petitioner submits that the

petitioner was arrested in this case on the place of occurrence but remanded to judicial custody on 12.10.2021. Learned counsel for the petitioner further submits that during his judicial custody, all the cases which are mentioned in paragraph 3 of the petition, he was remanded. He further submits that during investigation, raid was made at his house from where the Aadhar Card of one Sunita Devi was recovered for which a separate P.S. Case, namely, Mahua P.S. Case No. 611 of 2021 was instituted in which petitioner was on bail.

Learned counsel further submits that no T.I.P. has been conducted by the police during investigation. He further submits that the other co-accused persons were granted bail by the Co-ordinate Bench of this Court vide order dated 25.05.2022 and 08.06.2022 passed in Cr. Misc. No. 17613 of 2022 and Cr. Misc. No. 20534 of 2022 respectively.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, 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 Chief Judicial Magistrate,

Vaishali at Hajipur in connection with Mahua P.S. Case No. 626 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition 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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