

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23491 of 2022

Arising Out of PS. Case No.-82 Year-2021 Thana- Ratanpur District- Supaul

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Krishna Kumar Yadav Son of Adhiklal Yadav Resident of Village - Samda
(Dubyah) Ward No. 8 P.S. - Ratanpura, District - Supaul.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dheeraj Kumar, Adv.

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 04-08-2022 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
Ratanpura P.S. Case No. 82 of 2021 lodged under Sections
25(1-B) a/26 and 27 of the Arms Act.

As per the prosecution case, the allegation against the
petitioner is that the recovery of pistol without cartridge and
28,000 Nepali Rupees were recovered from the house of the
petitioner in his room.

Learned counsel for the petitioner submits that he is
innocent, nothing was recovered from the conscious possession
of the petitioner rather the alleged empty pistol was recovered

from a room where different people used to come. He further submits that petitioner is in custody since 26.12.2021 having clean antecedent and charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail and submits that there may be a chance that the accused shall create hurdle in facing trial.

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.50,000/- (Rupees Fifty thousand) with two sureties of the like amount each to the satisfaction of learned Subdivisional Judicial Magistrate, Birpur, District Supaul in connection with Ratanpura P.S. Case No. 82 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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