

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25425 of 2022**

Arising Out of PS. Case No.-20 Year-2022 Thana- SHANKARPUR District- Madhepura

Sudhir Kumar, Son of Motar Yadav @ Nageshwar Yadav R/O Village- Balwa  
Ward No.-9, Under Mauja Jirwa Under Gram Panchayat Sonbarsa, P.S.-  
Shankarpur, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shekhar Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      11-08-2022                      Heard learned counsel for the petitioner and the  
learned APP for the State.

Let the defect(s) be removed within four weeks of the  
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection  
with Shankarpur P.S. Case No.20/2022 instituted under Section  
25(1-b) a/26/35 of the Arms Act.

The allegation in the FIR is that the police during the  
patrolling reached near Jirwa Madeli Petrol Pump when they  
saw some people trying to escape. He was apprehended who  
named himself as Rahul Kumar and further gave the name of  
the petitioner herein stating that he was the person who had  
provided the arms.

Accordingly, the police raided the house of the  
petitioner herein and upon search, a loaded pistol and a live



cartridge was recovered from him. As he failed to produce any document, the same were seized and he was taken into custody.

Learned counsel for the petitioner submits that for the alleged act, he has suffered a lot by being in custody since 09.02.2022 (as stated in para-12 of the bail application).

Taking into account the aforesaid fact as also that charge sheet stands submitted and he is in custody since 09.02.2022, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Shankarpur P.S. Case No.20/2022 to the satisfaction of learned A.C.J.M., I, Madhepura, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next six months to mark his



presence;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

**(Rajiv Roy, J)**

Prakash Narayan /-

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