

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26720 of 2022

Arising Out of PS. Case No.-22 Year-2022 Thana- SARSI District- Purnia

NAVIN YADAV @ MANISH YADAV S/o Nandan Yadav R/o village-
Tintolia Jiyanganj Ward No. 13, P.S.- Sarsi, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 05-09-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

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

The petitioner seeks bail in connection with Sarsi
P.S. Case No. 22 of 2022 registered for the offences punishable
under Sections 25(1-b)a/26 of the Arms Act.

As per prosecution case, there is alleged recovery
of one laded country made pistol, one live cartridge and one
mobile from the possession of the petitioner.

Learned counsel for the petitioner submits that
petitioner is in custody since 20.01.2022. Petitioner bears no
criminal antecedent. Charge sheet has already been submitted in
the case and there is no likelihood of tampering with the



prosecution evidence. Learned counsel further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. Petitioner has no concern with the alleged occurrence. The allegation leveled against the petitioner is concocted, manipulated and absurd.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, keeping in view clean antecedent of the petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Sarsi P.S. Case No. 22 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will



remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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