

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28124 of 2022

Arising Out of PS. Case No.-189 Year-2021 Thana- KAKO District- Jehanabad

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Brijlal Yadav, Son of Late Ramu Yadav Resident of Village - Tikuliapar,
Police Station - Kako, District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 02-09-2022 None appears on call through virtual mode in view of
COVID-19.

The case is registered under Section 25(1-b)a/35 of
the Indian Arms Act in connection with Kako P.S. Case No.189
of 2021.

As per the allegation, the police upon secret
information that the petitioner is having cache of arms in his
home, raided the said place and recovered/seized three
countrymade pistol, one rifle, 30 live cartridges and one butt of
pistol.

As per the averments made in the bail application, it is
a joint house and the same cannot be attributed to him. The
further submission is that at the time of the raid, none of the
family members were present in the house and in the presence
of the female inmates, under a planned conspiracy, this cache of



arms have been shown to be recovered/seized. As per further statement, the petitioner is in custody since 10.01.2022 (para-10 of the bail application).

Considering the aforesaid facts as also that he is in custody since 10.01.2022, charge-sheet stands submitted and ultimately he has to face the Trial, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each in connection with Kako P.S. Case No.189 of 2021 to the satisfaction of learned A.C.J.M., Ist, Jehanabad, 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 fortnight 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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