

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27565 of 2022

Arising Out of PS. Case No.-398 Year-2021 Thana- BUXAR District- Buxar

Arvind Yadav @ Arvind Kumar, S/o Vishnu Singh Resident of Village-
Ghunsari, P.S.- Sikraul in the district of Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-08-2022 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 Buxar Town P.S. Case No.398/2021 instituted under
Sections 25(1-b)a/26/35 of the Arms Act.

As per the allegation in the FIR, the police was on a
evening patrolling when it intercepted a motorcycle. Although
one person successfully escaped from the place of occurrence,
the other one namely Aditya Choubey was apprehended and a
countrymade revolver and two cartridges were recovered/seized
from him. He further confessed that the person escaped was the
petitioner herein, Arvind Yadav.

Learned counsel for the petitioner submits that neither



he has been apprehended from the place of occurrence nor anything has been recovered from his conscious possession and only because he has been named by the co-accused Aditya Choubey, he has been implicated in this case and is in custody since 28.02.2022.

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 Buxar Town P.S. Case No.398/2021 to the satisfaction of learned Chief Judicial Magistrate, Buxar, 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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