

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42568 of 2021

Arising Out of PS. Case No.-91 Year-2020 Thana- BALIYA District- Begusarai

SANJEET YADAV S/O MAHENDRA YADAV R/O VILLAGE-
PHULWARIA NAYA TOLA, WARD NO. 7, P.S.-BALLIA, DISTRICT-
BEGUSARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Ranjan, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 25-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

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

Petitioner, who is in custody since 22.01.2021, seeks
regular bail in connection with Ballia P.S. Case No. 91 of 2020
registered for offences punishable under Sections 25(1-AA) (1-
BA) and 26 of the Arms Act.

Prosecution case, in brief, is that informant who is
P.S.I. of Ballia P.S. got secret information on 06.04.2020 that
accused of Ballia P.S. Case No. 09 of 2020 is ready to commit
crime. On this information, he reached the house of Sanjeet



Yadav (petitioner) who fled away after seeing the police force. However, the police found six live cartridges along with two pistols with nine cartridges. Accordingly, seizure list was prepared and petitioner was apprehended on 22.01.2021.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has been implicated in the present case merely on suspicion. Nothing has been recovered from the conscious possession of the petitioner. Petitioner is in custody since 22.01.2021.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner.

Considering the facts and circumstances of the case and nothing has been recovered from the possession of the petitioner as well as there is no allegation of tampering the evidence or influencing the witnesses and trial is also not likely to be concluded soon due to COVID-19, the petitioner, above named, is directed to be enlarged on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Ballia P.S. Case No. 91 of 2020 with a condition that he will tender his attendance daily at 8 a.m. in the morning before the concerned



police station. The concerned S.H.O., is directed to submit monthly report of attendance to the S.P., Begusarai and on any single default, the bail bond of the petitioner shall be cancelled.

The other conditions are as follows:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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

(Purnendu Singh, J)

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