

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44937 of 2021

Arising Out of PS. Case No.-47 Year-2021 Thana- SALAKHUA District- Saharsa

BIPIN YADAV Son of Yugo Yadav @ Yugeshwar Yadav Resident of Village-
Chanan, P.S.- Salkhua, District- Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-02-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Salkhua P.S. Case No. 47 of 2021 registered for the offence
under Sections 25(1-b)a and 26 of the Arms Act.

The case relates to recovery of one country made
loaded carbine along with 5 live cartridges from the
possession of the petitioner.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. He further submits that although,
according to the F.I.R, the alleged recovery is said to be made
from the possession of the petitioner but no offence has



been committed by the petitioner rather the petitioner has been made accused in this case for the reason that several cases have been registered against him. The police after investigation has submitted charge sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 05.03.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries ten cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Saharsa in connection with Salkhua P.S. Case No. 47 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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