

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40450 of 2022

Arising Out of PS. Case No.-401 Year-2021 Thana- MURLIGANJ District- Madhepura

DHARMENDRA KUMAR @ KESHAV YADAV S/o Umesh Yadav R/o
village- Naulakhi Ward No. 7, P.S.- Jankinagar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Prasad Verma, Advocate

For the Opposite Party/s : Mr.Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-10-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Murliganj P.S. Case No. 401 of 2021 for the offences under
Sections 25(1-B)a and 26 of the Arms Act.

As per the prosecution story, the informant, Umesh
Paswan recorded his self-statement that accused namely,
Dharmendra Kumar @ Keahav Yadav had confessed in
Murliganj P.S. Case No. 399 of 2021, during the course of
investigation that after committing the murder, he has concealed
murder weapon in the house of his maternal uncle. On the basis
of the disclosure made by the petitioner, upon search of the



house, a country-made pistol was recovered. Accordingly, the present F.I.R was lodged.

Learned counsel for the petitioner submits that he has already been made accused in connection with Murliganj P.S. Case No. 399 of 2021 under Section 302/34 of the Indian Penal Code and in course of the said investigation, it is alleged that on his confession, the house of the maternal uncle was raided and the revolver used in the said crime was recovered.

Taking into account the fact that there is a recovery of the revolver and country-made pistol, he is in custody since 18.11.2021, charge sheet stands submitted, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned C.J.M., Madhepura in connection with Murliganj, P.S. Case No. 401 of 2021, subject to the 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 reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month till the conclusion of the trial to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Jagdish/Neha/-

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