

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54247 of 2021

Arising Out of PS. Case No.-194 Year-2021 Thana- NARPATGANJ District- Araria

PUNYANAND YADAV Son of - Late Sukhdeo Yadav Resident of Village-
Khaira Chanda, Ward No. 4, P.S.- Narpatganj, District- Araia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Ziaul Quamar, Advocate
For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 08-04-2022 Heard learned counsel for the parties.

The petitioner is in custody since 30th of April, 2020 in connection with Narpatganj P.S. Case No. 194 of 2021 registered under Sections 25(1-b)a, 26(ii)/35 of the Arms Act.

As per the prosecution case, the ASI of Narpatgang Police Station got information that the petitioner along with other have illegally confined one Pankaj @ Kailu Yadav in his house under village *Khaira Chanda* and has also badly assaulted. Apprehending law and order problem, the Police Party went to the petitioner's house where the petitioner himself produced a countrymade pistol and live cartridges and attributed it to the possession of Pankaj @ Kailu Yadav. The police opened the door and recovered Pankaj @ Kailu Yadav who was in bad shape of health and it has further been alleged that it was the



petitioner, who was the master mind to implicate Pankaj @ Kailu Yadav in Arms Act and actually the countrymade pistol and live cartridge belongs to him.

Learned counsel for the petitioner submits that contrary to what the police has narrated in the First Information Report, actually it was Pankaj @ Kailu Yadav himself, who was armed with that countrymade pistol and a live cartridge and when the petitioner informed the police about it, the Police instead of taking appropriate action against him implicated him. He further submits that he is already in jail since 30th of April, 2021 and charge sheet has already been submitted. He is ready to abide by any condition imposed while releasing him on 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 Chief Judicial Magistrate, Araria in connection with Narpatganj P.S. Case No. 194 of 2021, subject to the following conditions :-

(i) one of the bailor should be the family member of the petitioner, who shall submit an affidavit to this effect showing his bonafide;

(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 his cancellation of bail by the Trial Court itself;

(iii) he shall visit the local police station every month for next six months to mark his presence;

(iv) he shall in no way induce, promise or threaten the witnesses related to the present case;

(v) in view of the fact that he already has two criminal cases lodged against him; in case he indulges in any such criminal offence again the State shall be at liberty to take steps for cancellation of his bail.

The bail application is allowed with the aforesaid observations.

(Rajiv Roy, J)

Jagdish/-

U		T	
---	--	---	--

