

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57023 of 2021

Arising Out of PS. Case No.-94 Year-2020 Thana- AGIAON BAZAR District- Bhojpur

SHIVJEE YADAV Son of Late Bangali Yadav Resident of Village- Akadhi
Tola, P.S.- Agiaon Bazar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 30-03-2022 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in a case
registered for the offences punishable under Section 25(1-b)
a/26/35 of Arms Act.

Allegation is recovery of three live cartridges and one
Carbine Model Country made pistol from the possession of
petitioner.

It has been submitted on behalf of the petitioner that
he is innocent and has been falsely implicated in this case. It has
been further submitted that he is a physically challenged person
and nothing was recovered from his conscious possession.
Petitioner is in custody since 17.09.2020.

As petitioner is having three antecedents as disclosed

in para 3 of this petition, I am not inclined to grant bail to the petitioner at this stage. Accordingly the prayer for bail of the petitioner is rejected.

However, petitioner may renew his prayer for bail after framing of charge. If charge has already been framed in this case, petitioner shall be released on bail by the court below itself on furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with Agiaon Bazar P.S. Case No. 94 of 2020 subject to the conditions that:-

(1) Both the bailors shall be the resident of territorial jurisdiction of the learned court-below.

(2) The petitioner shall fully cooperate with the investigation / trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(S. Kumar, J)

Rajiv/veena-

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