

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46824 of 2022

Arising Out of PS. Case No.-66 Year-2021 Thana- RAMPUR District- Gaya

SHAMU YADAV @ SHAYAM KUMAR @ SHYAMU YADAV Son of Late
Sachhu Yadav Resident of Village - Chiraiyatar, P.S.- Rampur, Distt.- Gaya.
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar
For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-09-2022 Heard the parties.

The petitioner has renewed his prayer for regular bail in connection with Rampur PS Case No. 66 of 2021 registered under Section 25 (1-B)A / 26 / 35 of the Arms Act inasmuch as earlier bail application of the petitioner *vide* Cr. Misc. No. 43837 of 2021 was dismissed as withdrawn by this court by order dated 04.02.2022 granting him liberty to renew his prayer for bail after six months. This is 2nd attempt for bail on behalf of the petitioner.

As per the prosecution case one pistol and three live cartridges have been recovered from the flush of the toilet located at the ground floor of the house of the petitioner.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case by Police and he has not committed any offence in the manner alleged.



Learned counsel further submits that during search and seizure procedures prescribed under Section 100 of the Cr.P.C. have not been followed. Learned counsel next next submits that petitioner is in custody since 06.04.2021 i.e. for more than one year five months.

Regard being had to the submissions made by the petitioner, taking into consideration the period of custody of the petitioner i.e. since 06.04.2021, the fact that this is 2nd attempt for bail on behalf of the petitioner, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Gaya in connection with Rampur P.S. Case No. 66 of 2021 on the following condition:-

(i) that the petitioner shall remain present on each and every date during the course of trial and in case of default on two consecutive dates on the part of the petitioner, his bail bond shall liable to be cancelled.

praful/-

(Anil Kumar Sinha, J)

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