

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59095 of 2021

Arising Out of PS. Case No.-136 Year-2021 Thana- SAHEBPUR KAMAL District-
Begusarai

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Hira Yadav Son of Laxman Yadav Resident of Village - Chandi Sthan
Jamahara, P.S. - Sonbarsha Raj, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-02-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in Virtual Court
proceeding.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Shahebpur
Kamal P.S. Case No. 136 of 2021 registered for the offences
punishable under Sections 25(1-b)a, 26 of the Arms Act.

According to prosecution case, one country made
pistol and one cartridge has been recovered from the possession
of the petitioner.

Learned counsel for the petitioner submits that



petitioner is innocent and has committed no offence and he has falsely been implicated in the present case. He further submits that on the self confessional statement recorded in the present case, the police has recovered one loaded country made pistol and one cartridge from the Bush. He further submits that as per F.I.R. nothing has been recovered from conscious possession of the petitioner, rather the recovery has been made from the Bush. The petitioner is in custody since 23.06.2021.

The learned Additional Public Prosecutor vehemently opposed the prayer for bail, submitting that petitioner carries four criminal antecedents.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Chief Judicial Magistrate, Begusarai in connection with Sahebpur Kamal P.S. Case No. 136 of 2021, subject to 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 absence on two



consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. 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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