

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60579 of 2021

Arising Out of PS. Case No.-157 Year-2021 Thana- PHULPARAS District- Madhubani

1. Jaybansh Kumar Yadav S/o Yogendra Yadav R/o village- Phulparas, P.S.- Phulparas, District- Madhubani
2. Gudu Kumar Yadav S/o Yogendra Yadav R/o village- Phulparas, P.S.- Phulparas, District- Madhubani
3. Tutu Kumar Yadav S/o Yogendra Yadav R/o village- Phulparas, P.S.- Phulparas, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-04-2022 Heard learned counsel for the parties.

The petitioners are an accused in connection with Phulparas P.S. Case No. 157 of 2021 registered under Sections 25(1-B)a/25(1-a)/26(i)/25(1-A) (1-AA), 26 (ii)/35 of the Arms Act.

Allegation against all the petitioners and his father is that they used to bring people from outside to make countrymade pistol.

Learned counsel for the petitioners submits that it is the house of their father and they have no role to play in the matter. He further submits that the petitioners do not carry any



criminal antecedent, charge-sheet has already been submitted and they are in judicial custody since 6th of April, 2021.

Taking into account the aforesaid facts and in view of the fact that charge-sheet has already been submitted and there is no question of tampering with the evidence as also that they do not carry any criminal antecedent (as stated in paragraph-3 of the bail application), let the petitioners 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 ACJM, 1st Jhanjharpur, Madhubani in connection with Phulparas P.S. Case No. 157 of 2021, subject to the following conditions.

(i) the learned Court below shall check the criminal antecedent of all the petitioners before releasing them on bail;

(ii) one of the bailor of each petitioner should be the family member, who shall provide official document to show their *bona fide*;

(iii) the petitioners 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 their cancellation of bail by the Trial Court itself;

(iv) the petitioners shall desist from committing any criminal offence again, failing which the State shall take steps



for cancellation of their bail bond.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

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