

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58497 of 2021

Arising Out of PS. Case No.-128 Year-2021 Thana- SAHEBPUR KAMAL District-
Begusarai

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Sharad Yadav @ Suraj Kumar S/O Bhopi Yadav Resident of Rajaura, P.S.-
Sahebpur Kamal, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate.
For the Opposite Party/s : Mr. Bharat Bhushan, APP.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 08-04-2022 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The present application has been filed on behalf of the
petitioner, above named, for grant of regular bail to the
petitioner who has been made accused and put behind the bar in
connection with Sahebpur Kamal P. S. Case No. 128 of 2021
registered for the offences punishable under Sections 25 (1-b) a
and 26 of the Arms Act.

As per the prosecution case, it is alleged that the
Police on secret information, raided the house of the accused
and this petitioner was caught hold by the Police party, on
search, one looted country-made pistol has been recovered from
possession of this petitioner.



It has been submitted by the learned counsel for the petitioner that this petitioner is in custody since 10.06.2021 and the investigation has been concluded and the charge-sheet has already been submitted. It is next submitted that, in fact, the Police went in search of another co-accused relating to different cases but when he did not disclose about his hide out he was arrested and implicated in the present case.

On the other hand, learned APP for the State submits that the petitioner has been found accused in one another case. In response, learned counsel for the petitioner submits that in connection with Sahebpur Kamal P. S. Case No. 326 of 2021, the petitioner is already on bail.

Having considered the submissions made on behalf of the parties and taking into account this fact that the investigation has been concluded and charge-sheet has already been submitted and the petitioner is in custody since 10.06.2021, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Sahebpur Kamal P. S. Case No. 128 of 2021, subject to the condition that one of the bailors will be the close



relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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