

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61914 of 2021

Arising Out of PS. Case No.-84 Year-2020 Thana- RAGHOPUR District- Supaul

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Sonelal Kumar @ Sonelal Yadav @ Sonu Kumar @ Sonu Yadav S/o
Brahamdev Yadav @ Ashok Yadav Resident of Village - Barmotra,
Mahinathpur, Ward No. 06, P.S. - Raghapur, District - Supaul.

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-03-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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 a case registered for the
offences punishable under Sections 25(1-b)A, 26, 35 of the
Arms Act.

According to prosecution case, one country made
pistol and one live cartridge has been recovered from the house
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 only on the basis of suspicion. He further submits that it appears from the F.I.R. as well as seizure list that one country made pistol and one live cartiridge has been recovered from the house of the petitioner. He further submits that the recovery has been made from the joint house of the petitioner and the petitioner is the son of one Brahmdev Yadav @ Barhadev Yadav who is also made an accused in the present case. He further submits that similarly situated, co-accused, namely, Brahmdev Yadav @ Barhadev Yadav has been granted bail by a co-ordinate Bench of this Court vide order dated 11.11.2020 passed in Cr. Misc. No. 26861 of 2020. The petitioner is in custody since 26.06.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail on the ground that petitioner carries seven criminal antecedents other than the present one.

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 Court below where the case is pending in connection with Raghopur P.S. Case No. 84 of 2020, 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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