

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50235 of 2022**

Arising Out of PS. Case No.-27 Year-2022 Thana- TETERHAT District- Lakhisarai

KARU KUMAR @ KARU YADAV Son of Suresh Yadav R/V- Lakhochak,
P.S- Kiul Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh, Advocate
For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-12-2022 Heard Mrs. Vaishnavi Singh, learned counsel for the
petitioner and learned APP for the State in Virtual Court
Proceeding.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under sections 323, 354(A),
376, 511, 509, 504 and 506/34 of the Indian Penal Code and
Section 8/18 of the POCSO Act under sections 302/34 of the
Indian Penal Code and Section 27 of the Arms Act, in
connection with P.S. Case No. (i) Lakhisarai Mahila P.S. Case
No. 30 of 2021 and (ii) Kiul P.S. Case No. 47 of 2022.

The prosecution story read as follows:-



The police Inspector in course of night patrolling raided the house of Karo Yadav who was an accused in Kiul P.S. Case No. 47 of 2022. As one person tried to leave the house, he was arrested and upon search, a loaded country made pistol with nine live cartridges were recovered in view of the fact that no document was produced with respect to the said recovery, the same was seized and the petitioner was taken into custody.

Learned counsel for the petitioner submits that only because of his implication in earlier case, he has also been made accused by lodging a false case. He submits that for the said alleged recovery, he has already suffered by being in custody since 26.3.2022.

Considering the period of custody as also the charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail with condition in view of the fact that he has criminal antecedent.

Let the petitioner 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 learned Chief Judicial Magistrate, Lakhisarai, in connection with Tetarhat P.S. Case No. 27 of 2022 subject to the following conditions:

- (i) one of the bailor should be the family member of



the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall leave his district (Lakhisarai) for a period of six months after providing name and address and police station of his place of stay during the said period and he shall be duty bound to visit the police station (where he/she will stay) every week to mark his attendance;

(iv) upon return to his district, he shall visit the concerned police station every fortnight for the next six months to mark attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.



With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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