

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64997 of 2021

Arising Out of PS. Case No.-250 Year-2021 Thana- MOHANIYA District- Kaimur (Bhabua)

LAL BAHADUR YADAV Son of Ram Sukh Resident of Village - Ram Nagar
Bankat, P.S. - Dehat, District - Sultanpur (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saroj Kumar Sharma,Adv

For the Opposite Party/s : Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-04-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State in virtual Court proceeding.

Petitioner seeks bail in a case registered for the offences punishable under Section 414 of the Indian Penal Code and 25(1-b)a, 26,35 of the Arms Act.

As per prosecution case, while checking of vehicle one Toyota Car coming towards Uttar Pradesh stopped by the police personnel and there were four accused persons sitting in the car. During search of vehicle 20 piece of .315 bore cartridges were recovered.

Learned counsel appearing for the petitioner submits



that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that it appears from the FIR that 20 pieces of 354 cartridges were recovered from the vehicle in question. He further submits that nothing has been recovered from conscious possession of the petitioner and the petitioner is driver of the vehicle in question. He further submits that the similarly situated co-accused person, namely, Manoj Kumar Bind, Sajid Sah and Shubham Singh have been granted bail vide order 21.12.2021 in Cr. Misc. No.47260 of 2021 and the petitioner is in custody since 25.06.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, 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 learned Court below where the case is pending in connection with Mohania Police Station Case No.250 of 2021, with 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/her absence on two consecutive dates without sufficient



reason, his/her 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) One of the bailors shall be the resident of territorial jurisdiction of the learned court below.

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)

Nitesh/-

U		T	
---	--	---	--

