

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65946 of 2021**

Arising Out of PS. Case No.-360 Year-2021 Thana- HARNAUT District- Nalanda

Subodh Yadav Son of Late Baleshwar Yadav Resident of Village- Cheran,
P.S.- Harnaut, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Ranjan Sinha, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 25-04-2022 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.

Petitioner seeks bail in a case registered for the offences punishable under Sections 25(1-b) a, 26 of the Arms Act.

As per prosecution case, in brief, is that on 15.08.2021 at about 5:00 P.M. informant was on patrolling duty along with police force. During court of patrolling, they reached near Gonawan more and saw the accused petitioner is standing near Milk Factory at village- Cheran for committing a big crime. Whensd the police party reached there then one person began to flee away but he was caught by the police force. On search, one



country made pistol has been recovered from the waist of the petitioner and two live cartridges from the right pocket of the petitioner.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He further submits that it appears from the F.I.R. that one country made pistol and two live cartridges has been recovered from the possession of the petitioner but in fact from perusal of the seizure list nothing has been recovered from the physical possession of the petitioner. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 16.08.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

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/- (Rupees 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 Harnaut P.S. Case No. 360 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 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 witness, 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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