

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55929 of 2022**

Arising Out of PS. Case No.-15 Year-2022 Thana- NADI P.S. District- Bhagalpur

RANA YADAV Son of Sadanand Yadav Resident of Village - Dhrubganj,  
P.S.- Kharik, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Anant Kumar 1

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      16-12-2022                      Let the defect(s), as pointed out by the office, be  
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and  
learned A.P.P. for the State in virtual court proceeding.

The petitioner seeks bail in connection with Nadi  
P.S. Case No. 15 of 2022 (N.D.P.S. Case No. 58 of 2022),  
registered for the offences punishable under Sections 414 of the  
I.P.C. 7 25(1-A)(1-AA), 25(1-B)A/26/35 of Arms Act and 8 ©  
21(a) of N.D.P.S. Act 1985.

As per prosecution case, there is allegation of  
recovery of one motorcycle in question as well as five live  
cartridges from the possession of apprehended petitioner Rana  
Yadav.

Learned counsel for the petitioner submits that



petitioner is in custody since 30.04.2022 and bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that petitioner has no concern with the alleged recovered cartridges. He further submits that from the perusal of the FIR it appears that the petitioner was arrested on 28.4.2022 14.00 Hrs but the F.I.R was lodged on 29.04.2022 and the petitioner is remanded in custody since 30.04.2022 which is violation of Section 57 of the Cr.P.C and 172(1) of the Cr.P.C. He further submits that petitioner is quite innocent and falsely implicated in the case.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 District and Sessions



Judge, Bhagalpur in connection with Nadi P.S. Case No. 15 of 2022(N.D.P.S case No. 58 of 2022), subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

**(Alok Kumar Pandey, J)**

vashudha/-

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