

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68099 of 2021

Arising Out of PS. Case No.-66 Year-2021 Thana- CHAUSA District- Madhepura

Subodh Yadav S/o- Late Yogendra Yadav @ Late Jogendra Yadav @ Late
Yogendra Prasad Yadav R/o Village- Bhatgama, P.S.- Chousa, District-
Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-04-2022 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, it is alleged by the
informant that on 18.07.2021 at about 13:50 Hours he got a
secret information that a person namely Subodh Yadav is
roaming at Bhatgama Chowk and he is carrying illegal arm and
ammunition with him. When he along with police party reached



near Madhya Vidyalaya, Bhatgama a person tried to flee away but he was apprehended by the police party and disclosed his name as Subodh Yadav and on search a country made pistol loaded with a cartridge of .315 bore was recovered from him. Eight .315 bore cartridges were also recovered from his waist. Accused petitioner could not produce any document regarding the recovered firearm and cartridge.

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. as well as seizure list one country made pistol and eight live cartridges were recovered from the possession of the petitioner and police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 18.07.2021.

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



Chousa P.S. Case No. 66 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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