

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3646 of 2023

Arising Out of PS. Case No.-89 Year-2022 Thana- BAGENGOLA District- Buxar

KHESARI YADAV @ SANJAY SINGH @ SANJAY YADAV SON OF
MAHANATH SINGH @ MAHANT YADAV @ MAHANATH YADAV R/O
VILLAGE- BHARAULI, P.S.- NAWANAGAR, DISTRICT- BUXAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta

For the Opposite Party/s : Mr. Ashok Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 02-05-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with Bagengola P.S. Case No. 89 of 2022, registered for the offenses punishable under Sections 399, 400, 401, 402 of the Indian Penal Code and 25(1-b)a, 26 35 of the Arms Act.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he was not arrested at the spot. Co-accused Bittu Paswan @ Manjhila @ Manjhil and Harichandra Kumar @ Harichandra were arrested at the spot from whose possession one country-made pistol and two live cartridges were recovered. They have been granted bail by the coordinate Bench of this Court in Cr. Misc. No. 67612 of 2022. The case of the petitioner is on better footing. He is under custody since 29.09.2022.



Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Bagengola P.S. Case No. 89 of 2022, subject to the conditions as laid down under Section 437 (3) of Cr.P.C. with other following conditions:-

(i) The petitioners shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

(ii) One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioners.

(iii) The petitioners shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

(Nawneet Kumar Pandey, J)

Sonali/ Sudha

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