

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26382 of 2023

Arising Out of PS. Case No.-392 Year-2022 Thana- GOPALPUR District- Bhagalpur

RANJAN YADAV Son of Bijendra Yadav R/V- Latra, PS- Gopalpur, Dist-
Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Adv.

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-07-2023 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since
24.09.2022 in connection with Gopalpur P.S. Case
No.392/2022, dated 07.08.2022, for the offences punishable
under Sections 25(1-B) a, 26, 35 of Arms Act & Sections 3, 4, 5
of Explosive Act.

3. According to prosecution case, one loaded country
made pistol, one pipe bomb and one bomb in shape were
recovered from the possession of the petitioner and other co-
accused persons.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. He
further submits that from bare perusal of the F.I.R. as well as



seizure list, it appears that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from road side and on the disclosure made by local chowkidar, the name of the petitioner has been implicated in false and fabricated case. Thereafter self confessional statement of the petitioner was recorded and the petitioner has confessed his guilt in the present occurrence. He further submits that co-accused, namely, Vikash Yadav has been granted bail by a co-ordinate Bench of this Court vide order dated 04.07.2023 passed in Cr. Misc. No. 29884/2023 and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 24.09.2022.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner has carried seven criminal antecedent other than the present one.

6. Considering the aforesaid facts and circumstances, 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 the learned A.C.J.M.-1st, Naugachia, Bhagalpur in connection with Gopalpur P.S. Case No.392/2022, subject to 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 witnesses, 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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