

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.30682 of 2023**

Arising Out of PS. Case No.-258 Year-2018 Thana- JAMALPUR District- Munger

SANOJ YADAV S/O LATE KAMAL KISHOR YADAV R/O Village-  
Shankerpur, P.S- Muffasil, Distt.- Munger.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjeev Kumar Nirala, Adv.

For the Opposite Party/s : Mr.Parmanand Prasad, APP

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

3      28-07-2023                      Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

A supplementary affidavit, carrying out necessary  
correction in the main application, has been filed on behalf  
of the petitioner, which forms part of this application.

The petitioner seeks bail in connection with  
Sessions Trial No.132 of 2023 arising out of Jamlapur P.S.  
Case No. 258 of 2018 registered for the offence under  
Sections 121, 121(A), 124(A), 379, 419, 120(B) and 34 of the  
Indian Penal Code and Section 39 of the U.P.A. Act and  
Sections 25(1-A), 25(1-AA), 25(1-B)C, 26 and 35 of the Arms  
Act.

According to the F.I.R. and the seizure list, a blue



colored Trolley Bag containing three AK-47 rifles alleged to have been recovered from the possession of the co-accused.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner has not been named in the F.I.R. but on the confessional statement of the co-accused, Shamsher Alam @ Biro, this petitioner has been apprehended in this case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. Save and except the confessional statement of the co-accused, no cogent material has surfaced during course of investigation suggesting the involvement of the petitioner in the alleged occurrence. Moreover, co-accused, Pawan Madal , Md. Mustakim @ Mangal Khan, Md. Khurshid @ Md. Khurshid Alam and Aisha Begum along with Manoj Kumar Singh have already been granted bail by different co-ordinate Benches of this Court vide Cr. Misc. No. 1950 of 2020, Cr. Misc. No. 30088 of 2019, Cr. Misc. No. 42026 of 2021, Cr. Misc. No. 6176 of 2022, Cr. Misc. No. 615 of 2022 along with 46846 of 2022, respectively. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner.



The petitioner is rotting in judicial custody since 20.02.2023.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries six more cases other than the present one and he has been allowed bail in all cases as is evident from paragraph-3 of the bail petition.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Additional Sessions Judge-III, Munger in connection with Sessions Trial No. 132 of 2023 arising out of Jamalpur P.S. Case No. 258 of 2018 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.



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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