

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33456 of 2023**

Arising Out of PS. Case No.-431 Year-2020 Thana- KHAIRA District- Jamui

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Arun Yadav @ Chhotu Yadav @ Arun Kumar Son Of Jagdish Yadav Resident  
Of Mohalla - Bodhawan Talab, P.S. - Jamui, Distt. - Jamui, Permanent  
Address - Village - Harbanshpur, P.S. - Chanan, Distt. - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

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

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      23-06-2023                      Heard learned counsel appearing on behalf of the  
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Khaira  
P.S. Case No.431 of 2020 registered for the offence under  
Sections 25(1-B)a, 26 and 35 of the Arms Act and Section 412  
of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in  
custody since 11.10.2022.

The allegation against the petitioner is to have in  
possession of firearm alongwith other co-accused persons and  
assembled together for committing a cognizable offence.

Learned counsel appearing on behalf of the petitioner  
submitted that the petitioner has been falsely implicated in the



present case on the basis of disclosure made by apprehended co-accused persons, namely Pravin Kumar and Jitendra Kumar. It is also submitted that petitioner found involved in five more criminal cases, where he is on bail and as suspicion arises out of criminal antecedents and therefore petitioner out of said suspicion implicated in the present case also without having any bearing of this criminal antecedent on the merit of the present case. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as petitioner is not apprehended on spot coupled with the fact that charge-sheet has already been submitted, where petitioner is in custody since 11.10.2022, let above named petitioner is directed to be released on bail in connection with Khaira P.S. Case No.431 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-3, Jamui/concerned court, subject to the conditions as



mentioned under Section 437(3) of the Cr.P.C. with further conditions :-

(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be deponent of the present bail petition.

**(Chandra Shekhar Jha, J.)**

S.Tripathi/-

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