

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41965 of 2023

Arising Out of PS. Case No.-72 Year-2023 Thana- BHABHUA District- Kaimur (Bhabua)

SONU YADAV @ SONU KUMAR YADAV Son of Jhalu Singh Yadav
Resident of village - Bhabua Ward No.- 2, P.S.- Bhabua, District - Kaimur at
Bhabua.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Singh

For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Bhabua P.S. Case No. 72/2023 registered for the offences
punishable under Sections 25(1-b)a, 26 of the Arms Act.

3. As per prosecution case, there is alleged recovery
of one loaded country made Katta as well as one live cartridge
from the possession of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case due to earlier dispute. The petitioner is languishing in
custody since 25.01.2023 and bears criminal antecedent of one
case which is not similar to the present case. No arm has been



recovered from the conscious possession of the petitioner. He further submits that charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, charge sheet has already been submitted in this case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhabua at Kaimur/A.C.J.M., Mohania, Kaimur in connection with Bhabua P.S. Case No. 72/2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates



without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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