

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52898 of 2023

Arising Out of PS. Case No.-329 Year-2022 Thana- BALIYA District- Begusarai

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Mogal Yadav @ Mangal Yadav Son Of Anil Yadav @ Prakash Yadav
Resident Of Village - Danouli Phulwaria, Ps- Ballia, Distt- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Ms.Nirmala Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Balia P.S. Case No.329 of 2022 instituted under Section 25(1-b)a,26 of the Arms Act lodged on 02.12.2022 by the informant Rinshu Kumar.

As per the prosecution story, the police upon secret information raided the place and apprehended the petitioner with countrymade pistol.

It is the case of the petitioner that police has implicated him for no fault of him, has remained in custody since 03.12.2022 (as stated in para-3 of the supplementary affidavit)



Learned APP opposes the prayer for bail.

Taking into account his period of custody, as stated above, FIR lodged, ultimately he will face the trial, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Balia P.S. Case No.329 of 2022 to the satisfaction of learned Chief Judicial Magistrate, Begusarai, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for



cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan

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