

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48664 of 2023

Arising Out of PS. Case No.-464 Year-2022 Thana- PHULPARAS District- Madhubani

Sunil Yadav @ Sunil Kumar Yadav Son Of Harihar Nath Yadav @
Hariharnath Yadav Resident Of Village - Siswabarhi, P.S. - Phulparas, Distt. -
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti

For the Opposite Party/s : Mr.Uday Pratap Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 16-08-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned
A.P.P for the State.

3. The petitioner has preferred this application for
grant of regular bail in connection with Phulparas P.S. Case No.
464 of 2022 dated 30.09.2022 registered for the offences
punishable under Sections 332,333, 307 and 353 read with 34 of
the Indian Penal Code and Section 25(1-B)a, 26 and 35 of the
Arms Act.

4. As per the prosecution case, one *desi katta*, 12 live
cartridges and a mobile phone were recovered from the



possession of the petitioner.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The other co-accused person has already been granted bail by the Co-ordinate Bench *vide* order dated 24.06.2023 passed in Cr. Misc. No. 34173 of 2023. The petitioner is accused in 35 other criminal cases out of which he was acquitted in 7 criminal cases and he is on bail except 2 cases as stated in para 3 of the bail petition. The petitioner is in custody since 01.10.2022.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Jhanjharpur, Madhubani in connection with Phulparas P.S. Case No. 464 of 2022, with the condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date,



failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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