

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49500 of 2023

Arising Out of PS. Case No.-463 Year-2023 Thana- SITAMARHI District- Sitamarhi

Satish Singh Son Of Ram Sakal Singh Resident Of Village- Sirsiya, Ps-
Bathnaha, Dist- Sitamarhi. Presently Residing At Mohalla- Shanti Nagar,
Ward No. 29, Ps And Dist- Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 50081 of 2023

Arising Out of PS. Case No.-463 Year-2023 Thana- SITAMARHI District- Sitamarhi

GOPAL KRISHN YADAV Son of Hriday Narayan @ Hirdya Narayan Yadav
@ Hriday Narayan Prasad Yadav @ Hriday Narayan Yadav Resident of
village - Pipra Parsain Tola Junkinagar @ Pipra Parsain Tole @ Junkinagar @
Hanuman Nagar, P.s.-Sonbarsa, District-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 49500 of 2023)

For the Petitioner/s : Mr.Ajay Kumar Tiwari, Advocate

For the Opposite Party/s : Mr.Dr. Ajeet Kumar,APP

(In CRIMINAL MISCELLANEOUS No. 50081 of 2023)

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

For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-08-2023 Heard learned counsel for the petitioners and the
learned A.P.P. for the State in both the applications.

2. The petitioners seek bail, who are in custody
since 11.06.2023 in connection with Sitamarhi (Mehsaul)
P.S.Case No.463 of 2023, F.I.R. dated 10.06.2023 registered



for the offence punishable under Section 399, 402, 420, 467, 468, 469, 470, 471 & 34 of the Indian Penal Code and Sections 25(1-b), 26, 35 of Arms Act.

3. The case relates to recovery of arms from possession of co-accused, namely, Nematullah Ansari @ Kundan and 37 pieces of rubber stamp from possession of petitioner-Satish Singh and forms of different schemes from possession of petitioner-Gopal Krishn Yadav.

4. Learned counsel appearing for the petitioners submits that the petitioners have clean antecedent and they have falsely been implicated in the present case. Further submits that from bare perusal of the FIR as well as the seizure list that the arms has been recovered from possession of co-accused, namely, Nematullah Ansari @ Kundan and from perusal of the seizure list that 37 pieces of rubber stamp have been recovered from possession of petitioner-Satish Singh and forms of different schemes has been recovered from possession of petitioner-Gopal Krishn Yadav and as per allegation in the FIR that on the basis of the forged certificate the petitioners have managed to obtain bank loan from the different Banks and the petitioners are in custody since 11.06.2023.



5. Learned APP for the State has opposed the prayer for bail of the petitioners.

6. Considering the aforesaid fact, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi in connection with Sitamarhi (Mehsaul) P.S.Case No.463 of 2023, with the following conditions:-

(I) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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