

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53533 of 2023

Arising Out of PS. Case No.-37 Year-2023 Thana- ISMAILPUR District- Bhagalpur

SONU YADAV @ DILKHUSH YADAV Son of Late Gode Yadav Resident of
Village-Tintanga Karari, P.S.-Gopalpur, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Ismailpur P.S. Case No.37 of 2023 instituted under Section 414 of the IPC and Section 25(1-b)a,26 of the Arms Act lodged on 31.03.2023 by the informant Chanbir Yadav.

As per the prosecution story, the allegation is that the police intercepted the motorcycle and recovered countrymade revolver, live cartridges as also mobile. As no paper was shown they were taking into custody and FIR lodged.

It is the case of the petitioner that he has been falsely implicated only because he has criminal antecedent and the recovery of arms has been thrust upon him. He has already suffered by being in custody since the date of occurrence.

Learned APP opposes the prayer for bail.

Taking into account the submissions put forward by



the learned counsel for the petitioner, his period of custody and will be ultimately facing 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 Ismailpur P.S. Case No.37 of 2023 to the satisfaction of learned Judicial Magistrate, Ist Class, Naugachia, Bhagalpur, 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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