

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59452 of 2022

Arising Out of PS. Case No.-210 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

SONU YADAV Son of Madan Yadav R/V- Naya Tola, Jurabganj Ward No. 1,
P.S- Kodha, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 414 of the Indian Penal Code and Sections 25(1-B)a, 26, 35 of the Arms Act.

According to prosecution case, on secret information, when the informant reached at bus stand and enquired from the local people, in the meantime, two persons tried to flee away but they were caught by the police party. The apprehended persons disclosed their names as Aryan Kumar and Sonu Yadav and from their possession two country made pistols having 0.315 bore bullet respectively and two motorcycles and other articles were recovered.

Learned counsel for the petitioner submits that



petitioner is innocent and he has falsely been implicated in the present case. He further submits that prior to instant F.I.R., the petitioner has clean antecedent but after lodging of the present case, the petitioner has been implicated in four other cases, which is mentioned in paragraph-3 of the bail petition. He further submits that it appears from the F.I.R. that one country made pistol, one live cartridge and one motorcycle have been recovered from possession of the petitioner and the police after investigation submitted charge sheet against the petitioner. The petitioner is in custody since 10.04.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries four criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Begusarai (Town) P.S. Case No. 210 of 2022, subject to the following conditions:-

- 1. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. 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.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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