

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57064 of 2023

Arising Out of PS. Case No.-39 Year-2023 Thana- CHAUTHAM District- Khagaria

Rinkesh Yadav @ Rinkesh Kumar Son Of Ravindra Yadav Resident Of
Village - Sonbarsha, P.S. - Chautham, District - Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Roshan Kumar Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 30-08-2023

Heard the parties.

The petitioner is in judicial custody in connection with Chautham P.S. Case No. 39 of 2023 for the offence punishable under Sections 25(1-b)a/26 of the Arms Act lodged on 10.2.2023 by the informant, Manoj Kumar.

As per the prosecution story, upon information that some persons are moving in a suspicious condition, surrounded and apprehended them, the petitioner was one of them. Upon search, one country made revolver and three live cartridges as also one missed fire cartridge recovered. Accordingly, the arrest and the FIR.

It is the case of the petitioner that only because he has criminal antecedent, every now and then, is being implicated, nothing has been recovered from his possession and he has been



made to suffer in custody since 11.2.2023 (para-15 of the petition)

Learned APP opposes the prayer stating that he has criminal antecedent of the same nature.

Taking into account the submission put forward by the learned counsel for the petitioner as also his period of custody (11.2.2023), this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate,-1st Class, Khagaria, in connection with Chautham P.S. Case No. 39 of 2023 subject to the 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 his



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 his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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