

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62419 of 2022

Arising Out of PS. Case No.-333 Year-2022 Thana- RAJAON District- Banka

NITO YADAV@ NITISH KUMAR @ KANBALI YADAV, S/o Deghar
Yadav R/o village- Ghutia, P.S.- Rajoun, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-02-2023 Heard learned counsel for the petitioner and learned APP for
the State.

Petitioner seeks bail in connection with Rajoun P.S. Case No.
333 of 2022 registered under Sections 25(1-B)a, 26 and 35 of the
Arms Act.

There is some intimation regarding assembly of miscreants
leading to arrest of the petitioner along with three other co-accused,
while they were moving on two motorcycles. There is alleged
recovery of one loaded country made pistol and one live cartridge.

Learned counsel for the petitioner submits that the petitioner
has no antecedents. The recovery is denied and disputed. It is
submitted that he has been made scapegoat in respect of recovery
made from other persons and he is in custody since 14.07.2022.
Investigation is complete.

Learned APP has opposed the prayer for bail. It is submitted



that the petitioner was carrying illegal arms and ammunition.

Considering the rival submissions, period of custody, fair antecedent and the fact that investigation is complete, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel.

Prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Banka in Rajoun P.S. Case No. 333 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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