

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66113 of 2022**

Arising Out of PS. Case No.-314 Year-2020 Thana- ROSERA District- Samastipur

SONU YADAV @ SONU KUMAR YADAV Son of Late Nageshwar Yadav
@ Late Nageshwar @ Late Nagi Yadav Resident of village - Barehpura, P.S.-
Khodawandpur (Chhaurahi O.P.), District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Satyendra Narayan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 17-03-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 399,402 and 414 of IPC and Sections
25(1-B)(a), 26 and 35 of the Arms Act.

The case relates to recovery of two pistol loaded with
magazine which were kept beneath the bed, 25 live cartridges
which were kept in red colour cloth. Further one loaded pistol,
three pistol and 29 live cartridges were recovered from the
house of Poonam Devi.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in the present
case. He further submits that nothing has been recovered from



conscious possession of the petitioner rather the recovery has been made from the house of Poonam Devi and the petitioner has no concern at all with the alleged recovery of arms and the similarly situated co-accused persons, namely, Kanhaiya Kumar Sahu @ Kanhaiya Kumar and others have been granted anticipatory bail or regular bail by the learned court below itself vide orders at Annexure-2 series to this bail petition and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 04.08.2022.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries one more case other than the present one but fairly submits that the petitioner is on bail in the said case as mentioned in para-3 of the bail petition.

Considering the aforesaid facts, 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 learned court below where the case is pending in connection with Rosera P.S.Case No.314 of 2020 with 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/her absence on two consecutive dates without sufficient reason, his/her 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.

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)

Nitesh/-

U		T	
---	--	---	--

