

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74583 of 2022

Arising Out of PS. Case No.-378 Year-2021 Thana- MURLIGANJ District- Madhepura

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Akhilesh Kumar Son Of Dharendra Yadav Resident Of Village- Khirkhiriya,
P.S.- Murliganj, District- Madhepura.

... .. Petitioner/S

Versus

The State Of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Adv.

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-03-2023 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Murliganj P.S. Case No. 378 of 2021 lodged under Sections
25(1-B)a, 26/35 of the Arms Act.

As per the prosecution case, the entire family
members have been made accused in this case and recovery of
one country-made pistol has been made.

Learned counsel for the petitioner submits that the
other family members, who are accused in this case, have been
granted bail by the Co-ordinate Bench of this Court vide order
dated 29.08.2022 in Cr. Misc. No. 6910 of 2022, which is

annexed in Annexure-2 series.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 12.10.2022, having one criminal antecedent, in which he is on bail.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M.-I, Madhepura in connection with Murliganj P.S. Case No. 378 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the

petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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