

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78689 of 2023**

Arising Out of PS. Case No.-95 Year-2023 Thana- NIRMALI District- Supaul

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Ram Sevak Yadav Son of Dev Nath Yadav R/O Village- Bageba, Ward No.15,  
P.S.- Andharamath, District- Madhubani, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Jitendra Kumar Bharti, Adv.

For the Opposite Party/s : Mr.Yogendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      07-12-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Nirmali  
P.S. Case No. 95 of 2023 instituted for the offences under  
Sections 411, 413 of the Indian Penal Code as well as Section  
25(1-b)a, 26 of the Arms Act.

3. The prosecution case, in short, is that on receipt of  
secret information, the Informant reached at the place of  
occurrence. On seeing the police party, one person tried to flee  
away on motorcycle but, he was apprehended. On inquiry, he  
revealed his name as the petitioner. On search, one country-  
made pistol loaded with one cartridge, three other live  
cartridges, four mobile phones and a motorcycle were recovered



from his direct possession.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner has altogether five criminal antecedents out of which in four of them, he is on bail. The petitioner is languishing in judicial custody since 11.05.2023. Charge-sheet has been submitted by the police in this case.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the entire facts and circumstances of the case, let the petitioner, abovenamed, 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 Court below/concerned Court in connection with Nirmali P.S. Case No. 95 of 2023, subject to the following conditions;

(i) One of the bailors shall be own/close member of the family of the petitioner.

(ii) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(iii) If the petitioner repeats the same offence as



alleged in this case in future, the Trial Court will again be at liberty to cancel the bail bonds of the petitioner.

**(Rudra Prakash Mishra, J)**

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