

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13880 of 2024

Arising Out of PS. Case No.-179 Year-2023 Thana- BELDOUR District- Khagaria

Lalan Yadav SON OF HARIHAR YADAV R/O VILLAGE- SHERVASA,
WARD NO.- 02, P.S.- BELDHAUR, DISTRICT- KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suman Kumar Jha, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-03-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Beldour P.S. Case No. 179 of 2023 for the offence under Sections 25 (1-B)A, 26 and 35 of the Arms Act lodged on 24.07.2023 by the informant, Satish Kumar Patel.

3. As per the prosecution story, the informant alongwith the armed forces in course of patrolling searched the hut of the petitioner and recovered/seized pistol alongwith thirty one cartridges. The wife of the petitioner was present and arrested. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he has clean antecedent, the hut is an open place, it may have been placed by someone inimical to him, for which they are suffering as an FIR has been lodged and his wife was arrested and has



subsequently been released on bail. Further, he is ready to cooperate in the investigation/trial.

5. Learned APP opposes the prayer stating that the recovery is from the petitioner's hut.

6. Taking into account the submissions put forward by the parties as also he do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Beldour P.S. Case No. 179 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her 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.

8. With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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