

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17824 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- SHAMBHUGANJ District- Banka

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1. BINDESHWARI KUMAR YADAV SON OF SURESH PRASAD YADAV
R/O-ATHAMANIYA, P.S.-SHAMBHUGANJ, DISTT.-BANKA
 2. PAWAN KUMAR YADAV SON OF LATE NARESH PRASAD YADAV
R/O-ATHAMANIYA, P.S.-SHAMBHUGANJ, DISTT.-BANKA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arpana Kumari

For the Opposite Party/s : Mr.Akbar Ali

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 25-07-2024 Heard the learned counsel for the petitioners as well
as the learned Additional Public Prosecutor for the State.

2. The petitioners are seeking regular bail in connection with Shambhuganj P.S. Case No. 01 of 2024, registered for the offences punishable under Sections 25(1-b)a, 26/35 of the Arms Act.

3. The prosecution case, in short is that on the tip off, the informant along with police personnel proceeded for vehicle checking and in that course, the petitioners on a motorcycle tried to escape but on chase, they were arrested. On search, three live cartridges are said to have been recovered from the conscious possession of petitioner no. 1 whereas one country made pistol along with two live cartridges was recovered from the conscious possession of the petitioner no. 2.

4. The learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in



this case. They are the persons of clean antecedents and languishing under custody for more than six months.

5. Considering the above-mentioned facts and circumstances as well as the clean antecedents of the petitioners, let the petitioners above-named be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Shambhuganj P.S. Case No. 01 of 2024, subject to the following conditions:-

- (i) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.
- (ii) **The court below shall verify the criminal antecedents of the petitioners and if it is found that they are involved in any other case, the learned court below will be at liberty to cancel the bond furnished by the petitioners. It is hereby made clear that the petitioners shall not be kept under custody only for verification of their criminal antecedents.**

(Nawneet Kumar Pandey, J)

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