

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21106 of 2024

Arising Out of PS. Case No.-425 Year-2023 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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1. Suren Yadav @ Sugan Yadav, Male, aged about 30 years, son of Late Jay Narayan Prasad Yadav @ Late Jay Narayan Yadav, R/O Vill- Chourahi, P.S.- Salkhua, Dist- Saharsa.
 2. Kusho Yadav, Male, aged about 28 years, son of Jagdish Yadav, R/O Village- Kaji, P.S.- Salkhua, Dist- Saharsa.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Subesh Sharma, Advocate
For the Opposite Party	:	Mr. Anil Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 06-05-2024 This matter has been listed under the heading ‘For orders (on office notes)’.

2. Heard learned counsel for the petitioners and learned A.P.P. for the State.

3. The petitioners seek bail in connection with Simri Bakhtiyarpur (Balwahat) P.S. Case No. 425 of 2023 dated 23.07.2023 registered for the offences punishable under Sections 467, 468, 471, 420, 413, 414, 353, 186/34 of the I.P.C. and Sections 25(1-b)a, and 26 of the Arms Act.

4. As per the prosecution case, police apprehended the co-accused Sanjeet Kumar and recovered one loaded country



made pistol with one live cartridge from his possession and on his disclosure, the petitioners and the other co-accused Jogen Yadav @ Jagga Yadav were apprehended and from the house of Suren Yadav (petitioner no. 1) and the co-accused Jogen Yadav @ Jagga Yadav, four motorcycles were recovered. The apprehended persons misbehaved with the police officials. The co-accused Jogen Yadav @ Jagga Yadav fled away from the custody of police.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is submitted that the house of the petitioners was raided at the instance of the co-accused Sanjeet Kumar but no incriminating article has been recovered from possession of the petitioners. The petitioner no. 1 has two criminal antecedents in which he is on bail and the petitioner no. 2 has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioners are in custody in this case since 24.07.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners,



above named, are directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District Judge-I, Saharsa, in connection with Simri Bakhtiyarpur (Balwahat) P.S. Case No. 425 of 2023 with further condition:-

- (i) The petitioners are directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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