

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38792 of 2024

Arising Out of PS. Case No.-106 Year-2023 Thana- BANDHUWA KURAWA District- Banka

Pappu Kumar Yadav @ Pappu Yadav Son of Late Prayag Yadav Resident of
Village- Jhalar, P.S- Bandhua Kurawa, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Krishna Prasad Singh, Sr. Advocate
	:	Mr.Sakshi Deep, Advocate
For the Opposite Party/s	:	Mr.Yogendra Kumar,APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-05-2024 Heard Mr. Krishna Pd. Singh learned senior counsel
for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Bandhua Kurawa P.S. Case No.106 of 2023 lodged under
Sections 25(1-b)a/ 26 of the Arms Act.

3. As per the prosecution case, the F.I.R. has been
lodged against against the petitioner with allegation that one
pistol and 24 live cartridges have been recovered from the
scorpio which belongs to the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that the petitioner's father was killed in Bausi P.s. Case No.53 of
2010 in which *Fufaa* of the deceased, namely, Arun Kumar was
the main accused, and thereafter, for the protection, licensee
rifle has been provided to the petitioner. He submits that when
the licensee rifle has been provided to the petitioner, then there



is no need to keep *katta* and other live cartridges.

5. Counsel further submits that at the instance of his enemies, the present case has been lodged against him. He further submits that there are 2 criminal cases pending against him in which he is on bail and he is in custody since 11.01.2024.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned J.M.-1st Class, Banka in connection with Bandhua Kurawa P.S. Case No.106 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:-

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



bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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 the bail bonds.

8. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-

i. Bandhua Kurawa P.S. Case No.55 of 2022.

ii. Bandhua Kurawa P.S. Case No.105 of 2023.

(Dr. Anshuman, J.)

Prakashmani/-

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