

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39634 of 2024

Arising Out of PS. Case No.-165 Year-2023 Thana- DARAUNDA District- Siwan

Rahul Kumar Yadav, Male, aged about 31 years, S/O Late Ramagya Yadav,
R/O Village-Dibi, P.S. M.H. Nagar, Distt-Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Chandra Mohan Jha, Advocate
For the Opposite Party : Mr. Chandra Bhushan Prasad, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 15-07-2024 This matter has been listed under the heading ‘For
Orders (on office notes)’.

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

3. The petitioner seeks bail in connection with
Daraunda P.S. Case No. 165 of 2023 dated 01.06.2023
registered for the offences punishable under Sections 25(1-b)a,
26 of the Arms Act and Sections 8, 21(b) of the N.D.P.S. Act.

4. As per the prosecution case, the informant has
apprehended the petitioner and from his possession, one loaded
country pistol alongwith two live cartridges, 07.280 Mg., *smack*
like substance and one *Android Mobile Phone* were recovered
from the possession of the petitioner.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that nothing has been recovered from the conscious possession of the petitioner rather the petitioner was arrested from his house. The seized contraband is less than the commercial quantity. The petitioner has four criminal antecedents and in all the cases, he is on bail as stated in paragraph no. 3 of the bail application. The petitioner is in custody since 02.06.2023.

6. Learned A.P.P. for the State has opposed the prayer for bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, let the above named petitioner, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Siwan in connection with Daraunda P.S. Case No. 165 of 2023 with further condition:-

I) The petitioner is 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 petitioner are
liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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