

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41207 of 2024

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

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Jogen Yadav @ Jagga Yadav S/o Late Jai Narayan Prasad Yadav R/o vill -
Chaurahi, P.S. - Salkhua, Distt. - Saharsa, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subesh Sharma
For the Opposite Party/s : Mr. Rita Verma

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

ORAL ORDER

2 18-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Simri Bakhtiyarpur (Balwant O.P.) P.S Case No. 425 of 2023 dated 23.07.2023 registered for the offence punishable under Sections 467, 468, 471, 420, 413, 414, 353, 186 read with Section 34 of the Indian Penal Code and Section 25(1-B)a and 26 of the Arms Act.

3. 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 petitioner and the other co-accused persons were apprehended from the house of the petitioner and the co-



accused Suren Yadav, four motorcycles were recovered. The apprehended persons misbehaved with the police officials. The petitioner fled away from the custody of police.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The co-accused person has already been granted regular bail by this Court vide order dated 06.05.2024 passed in Cr. Misc. No. 21106 of 2024. The petitioner has antecedent of one criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 02.01.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, 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 learned Court concerned, Saharsa in connection with Simri Bakhtiyarpur (Balwant O.P.) P.S Case No. 425 of 2023., with the 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 bond of the petitioner is liable to be cancelled.

(ii). If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bonds.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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