

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42670 of 2024

Arising Out of PS. Case No.-578 Year-2023 Thana- RAJAON District- Banka

KAJU YADAV @ KAJU KUMAR YADAV SON OF ARVIND YADAV
VILLAGE- CHUTIA, P.S.- RAJOUN, DISTT.- BANKA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-06-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Rajoun
P.S. case No. 578 of 2023 instituted for the offences under
Sections 25(1-b)a, 26, 35 of the Arms Act.

3. As per the F.I.R., one loaded country-made pistol
and one live cartridge has been recovered from the possession of
co-accused.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted
that petitioner has got no concern with the recovered arms and



ammunitions. His name transpired on the confessional statement of co-accused Bobby Kumar. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.03.2024 and has twenty five criminal antecedents. There is no compliance of Section 100 of the Cr.P.C. Co-accused has been granted bail by this Court vide order dated 30.04.2024 passed in Cr. Misc. No. 29453 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rajoun P.S. case No. 578 of 2023 subject to following conditions :

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Prakash/-

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