

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73518 of 2024

Arising Out of PS. Case No.-171 Year-2024 Thana- SAHEBPUR KAMAL District-
Begusarai

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1. Kaurav Kumar @ Kaurav Yadav S/o Sudo Yadav @ Suresh Yadav R/o Village_ Govindpur Navtolia, P.S. Sahebpur Kamal, DIstt. Begusarai
 2. Mintu Yadav S/o Sudo Yadav @ Suresh Yadav R/o Village_ Govindpur Navtolia, P.S. Sahebpur Kamal, DIstt. Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Adv.

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

2 17-10-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 120-B of the Indian Penal Code and sections 26, 35, 25(1-B) (a) of the Arms Act.

3. As per allegation in the FIR, on getting secret information about assembling of some anti-social elements including the petitioners laced with arms, police party proceeded towards place of occurrence. On seeing the police party, they started to run but after chase, out of them four accused persons including the petitioners were apprehended.



From possession of petitioner no. 1 Kaurav Yadav, one country made pistol, six live cartridges and one mobile have been recovered whereas from possession of petitioner no. 2, one country made pistol, eight live cartridges and one mobile have been recovered.

4. It is submitted by learned counsel for the petitioners that petitioner have been falsely implicated in this case. Infact nothing was recovered from conscious possession of the petitioner rather the seized arms were planted one by the police officials due to their high handedness. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list as both the seizure list witnesses are police officials. Charge-sheet has been submitted in this case. They have got no criminal antecedent. Both are languishing in judicial custody since 18.6.2024.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two



sureties of the like amount each to the satisfaction of the learned Sub-Judge IV-cum-ACJM-IV, Begusarai in connection with Sahebpur Kamal P.S. Case No. 171 of 2024 with following conditions:

(1) Petitioners shall co-operate in the trial till framing of charge and will be present on each and every fixed date and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(ii) One of the bailors must be the close relative of the petitioners.

(S. B. Pd. Singh, J)

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