

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73185 of 2024

Arising Out of PS. Case No.-218 Year-2023 Thana- TRIVENIGANJ District- Supaul

Ashish Kumar Yadav S/o Ganesh Yadav R/o Village- Babhangama, Ward
No.3, P.S.- Triveniganj, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prafull Chandra Thakur

For the Opposite Party/s : Mr.Umeshanand Pandit

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

ORAL ORDER

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

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 25(1-b)a, 26 of Arms Act.

As per allegation in the FIR, on receiving the secret information about the petitioner that he is engaged in trade of illegal arms, when the informant raided his house, four country made pistol have been recovered.

It is submitted by learned counsel for the petitioner that the petitioner is innocent



and he has falsely been implicated in the present case. Neither the petitioner was apprehended on spot nothing incriminating has been recovered from his conscious possession. He has no concern with the seized incriminating articles. From perusal of the impugned order, it is evident that chargesheet has been submitted against the petitioner. Moreover, the petitioner is languishing in judicial custody since 07.07.2024.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the above facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Triveniganj P.S. Case No. 218 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two



sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul, subject to the following conditions:-

(i) One of the bailors should be close relative of the petitioner.

(ii) 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.

(iii). If the petitioner threatens the informant or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iv). If the petitioner repeat the offences of similar nature, as alleged in the present case, the prosecution will be at liberty to move for cancellation of bail.

(S. B. Pd. Singh, J)

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