

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76984 of 2024

Arising Out of PS. Case No.-524 Year-2024 Thana- SUPAUL District- Supaul

1. Nirdosh Yadav @ Subhash Yadav Son of Hareram Yadav @ Hareram Prasad Yadav Resident of Brahm Sthan, Ward No. 16, Police Station - Supaul and Dist- Supaul
2. Vinod Kumar @ Binod Kumar son of Ramnarayan Yadav Resident of Brahm Sthan, Ward No. 16, Police Station - Supaul and Dist- Supaul
3. Raushan Kumar @ Roshan Kumar son of Arun Mandal village- Nagarparisad, Ward no. 13, Ps and Dist- Supaul
4. Santan Kumar son of Amit Kumar village- Nayanagar, Ward no. 14, Ps and dist- supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 30-10-2024

Heard the parties.

2. The petitioners are in custody in connection with Supaul P.S. Case No. 524 of 2024 for the offence punishable under Sections 25 (1-B)(a), 26 and 35 of the Arms Act lodged on 06.08.2024 by the informant, Prashant Kumar.

3. As per the prosecution story, the informant alleged that upon information that the accused persons have assembled to commit crime, raided the place and found one loaded country-made pistol, two body of pistol, empty cartridges as also other articles. Accordingly, the FIR.



4. Learned counsel for the petitioners submit that only because of criminal antecedents, the Police has made out a case, nothing has been recovered from their conscious possession rather from the room, even going by the FIR, they are in custody since 07.08.2024 (paragraph-1 of the petition) and will be diligently appearing in trial, if granted relief.

5. Learned APP opposes the prayer for bail submitting that some of them have criminal antecedents.

6. Taking into account the submissions put forwarded by the parties as also the fact that nothing has been recovered from their conscious possession and they are in custody since 07.08.2024, this Court is inclined to extend them the privilege of bail with conditions.

7. Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Supaul, in connection with Supaul P.S. Case No. 524 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every month for one year to mark his attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Adnan/-

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