

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78576 of 2024

Arising Out of PS. Case No.-141 Year-2024 Thana- BARAHAT District- Banka

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Suman Kumar @ Suman Kumar Yadav S/o Yogendra Prasad Yadav @
Yogendra Pd. Yadav R/o Village- Phulhara (Kamalpur), P.S.- Barahat,
District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the State : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-11-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Barahat P.S. Case No. 141 of 2024 for the offences punishable under Sections 25)1-b)a and 26 of the Arms Act, lodged on 25.06.2024 by the informant, Deepak Paswan.

3. As per the prosecution story, the police got the information about this petitioner roaming with a pistol, raided the house. There is recovery of a country made pistol with two live cartridges under the bed, this led to the F.I.R.

4. Learned counsel for the petitioner submits that the recovery/seizure is from a joint house, he has nothing to do with the alleged recovery, only because of criminal antecedent, implicated.



5. Learned APP for the State opposes the prayer submitting that the recovery/seizure is from the bed.

6. Considering the aforesaid submissions put forward by the parties as also that recovery/seizure is from a joint house, he is in custody since 26.06.2024 (paragraph no.6 of the petition), as undertaken he shall be diligently appearing in trial, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st, Banka, in connection with Barahat P.S. Case No. 141 of 2024, subject to the following conditions:

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

(ii) the petitioner shall appear on each and every date before the Trial Court 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 petitioner shall appear before the concerned police station every fortnight for next one year to mark his attendance;



(iv) the petitioner shall in now 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 petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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