

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82158 of 2024

Arising Out of PS. Case No.-267 Year-2024 Thana- BELDOUR District- Khagaria

Satti Yadav Son of Late Jagdish Yadav Resident of village- Swarnpuri Idmadi,
P.S.- Beldour, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvottam Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 28-11-2024 Heard the parties.

2. The petitioner is in custody in connection with Beldaur P.S. Case No. 267 of 2024 for the offence punishable under sections 25(1-B)(a), 26 and 35 of the Arms Act lodged on 26.07.2024 by the informant, Pawan Kumar.

3. As per the prosecution story, the informant alleged that during security check, a motorcycle was intercepted and the pillion rider gave the name as this petitioner while Gautam Sahni was driving it. Upon search, there is recovery of pistol, magazine made of iron and live cartridges. This led to the FIR/arrest.

4. Learned counsel for the petitioner submits that Gautam Sahni who owns the motorcycle asked him to keep the sack and he became the pillion rider. He is an old person with



seventy one years of age, have no criminal antecedent and have nothing to do with the alleged recovery but is in custody since 27.07.2024 (paragraph-4 of the petition).

5. Learned APP opposes the prayer for bail submitting that there is recovery of pistol, live cartridges as also country-made magazine.

6. Allegation is there against the petitioner, at the first instance, this Court was not inclined to grant him bail, however, considering that he is seventy one years of age and remained in custody since 27.07.2024, charge-sheet stands submitted and an undertaking has been given that he will be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner 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 C.J.M., Khagaria, in connection with Beldaur P.S. Case No. 267 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/her bona fide;

(ii) the petitioner 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 petitioner shall appear before the concerned police station every fortnight for one year to mark his attendance;

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

(Rajiv Roy, J)

Adnan/-

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