

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1014 of 2024

Arising Out of PS. Case No.-556 Year-2023 Thana- HARSIDHI District- East Champaran

YASHWANT GIRI S/O JATA SHANKAR GIRI R/O VILLAGE- GIRI TOLA
PAHARPUR, P.S- PAHARPUR, EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Harsidhi P.S. Case No. 556 of 2023 registered on 18.09.2023 lodged under Sections 413, 414 of I.P.C. and 25(1-b)a, 26 and 35 of the Arms Act and Section 20(B)(II)(C) of the N.D.P.S. Act.

3. As per the prosecution case, F.I.R. has been lodged against four named accused persons and upon raid they were apprehended by the police and there is recovery of N.D.P.S material, arms and motorcycle relating to this case.

4. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that from the content of the F.I.R. as well as the seizure list, it is very much



clear that nothing has been recovered from the possession of the petitioner save and except mobile which belong to him.

5. He further submits that there are three criminal case pending against the petitioner in which he is on bail. Since antecedent of the petitioner is not clean, it is due to this reason that police has inserted the name of the petitioner in this case. And petitioner is in custody since 19.09.2023 and charge-sheet has already been filed.

6. Learned counsel for the State opposes the prayer for bail and submits that antecedent of the petitioner is not clean and at the time of granting bail this aspect must be taken into consideration.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail *after framing of charge* and on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge/Special Judge, East Champaran in connection with Harsidhi P.S. Case No. 556 of 2023 subject to the following conditions as well as the conditions laid down under Section 437 (3) of the Cr.P.C.

(i) one of the bailor should be the family member 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 and failure to do so for two consecutive
dates without plausible reason will entail cancellation of his bail
bonds by the Trial Court itself;

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

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

(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 the bail bonds.

(Dr. Anshuman, J)

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