

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.172 of 2024

Arising Out of PS. Case No.-239 Year-2023 Thana- CHAUTHAM District- Khagaria

Subodh Yadav Late Kapileshwar Yadav R/o Village- Sahorba, Police Station-
Chautham, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Singh, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

- 2 19-01-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.
2. The petitioner seeks bail in connection with
Chautham P.S. case No. 239 of 2023 instituted for the offences
under Sections 25(1-b)a, 26 of the Arms Act.
3. Prosecution case, in short, is that, on the basis of
secret information, police recovered one country-made pistol
and 5 live cartridges were recovered from the possession of the
petitioner.
4. It has been submitted on behalf of the petitioner that
the petitioner is in custody since 04.08.2023 and has four
criminal antecedents but out of four he is on bail in three cases.
The petitioner has falsely been implicated in the present case.



No specific overt act is alleged against the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chautham P.S. case No. 239 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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