

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7632 of 2025

Arising Out of PS. Case No.-175 Year-2024 Thana- SOHSARAI District- Nalanda

Kunal Kumar Yadav @ Kunal Yadav @ Kunal Kumar S/o Krishna Yadav @
Krishan Gop R/o vill- Madhopur, P.S.- Bakhtiyarpur, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Pallavi, Advocate

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

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

ORAL ORDER

2 17-02-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Sohsarai P.S. Case No. 175 of 2024 instituted for the offence
under Sections 317(4), 317(5) of the Bharatiya Nyaya Sanhita,
2023 and Sections 25(1-b)a, 26 & 35 of the Arms Act.

3. The prosecution case in short is that during course
of vehicle checking the police apprehended petitioner along
with other co-accused persons, and recovered Rs. 1,00,000/-
(Rupees One Lakh), one loaded country made pistol and four
live cartridges from the possession of the petitioner.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 23-07-2024. Petitioner



bears two criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Charge sheet has been submitted in this case. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner next submits that the recovered money belongs to the petitioner. There is no compliance of Section 103 of the BNSS, 2023. Other co-accused has been granted bail by this Court *vide* order dated 13-02-2025, passed in Cr. Misc. No. 6115 of 2025.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, claim based on parity and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. 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 Sohsarai P.S. Case No. 175 of 2024, 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)

Raj Kishore/-

U		T	
---	--	---	--

