

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8441 of 2025

Arising Out of PS. Case No.-323 Year-2024 Thana- Marnga District- Purnia

Chhotu Kumar @ Chhotu Yadav @ Dhananjay Yadav Son of Late Rabindra Prasad Yadav @ Ravindra Prasad @ Robin Yadav R/o- Vill- Maranga (West) P.S. Maranga District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate
		Mr. Pawan Kumar, Advocate
		Mr. Diksha Kumari, Advocate
For the Opposite Party/s :		Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Maranga P.S. Case No. 323 of 2024 dated 28.11.2024, instituted for the offence punishable under Sections 25(1)a, 25(1)b and 35 of the Arms Act.

3. The allegation is of recovery of a rifle and pistol from the car which was being driven by the petitioner. It is further alleged that petitioner fled away after seeing the police party.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that petitioner was not arrested at



the spot. The main allegation against the petitioner is that he fled away after seeing the police party. There is no recovery from the possession of the petitioner. The rifle and pistol have been recovered from the possession of co-accused Satya Narayan Basak, who is a license holder of the arms in the State of West Bengal. It is also submitted that the bail of the petitioner has been rejected by the learned lower court only because of his past criminal antecedents. Lastly, it has been submitted that the petitioner is in custody since 18.12.2024, he has eight criminal cases against him and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Purnea in Maranga P.S. Case No. 323 of 2024, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

5. The petitioner shall appear before the Police Station of his local area in the first week of each month till the framing of charge.

(Khatim Reza, J)

Sankalp/-

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

