

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18227 of 2025

Arising Out of PS. Case No.-188 Year-2024 Thana- BASOPATTI District- Madhubani

Nand Lal Yadav S/O Ramprasad Yadav R/O Village-Pipra Tol, Jaynagar, P.S.-
Jaynagar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Vishwanath Pd. Sinha, Sr. Advocate
Mr. Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-04-2025 Heard learned senior counsel appearing on behalf of
the petitioner and learned APP for the State.

02. In the present case, the petitioner seeks bail in connection with Basopatti P.S. Case No. 188 of 2024 registered for the alleged offences under Sections 310(4), 310(5) of Bharatiya Nyaya Sanhita, 2023 and Section 25(1-b)a, 26, 35 of the Arms Act.

03. As per prosecution case, police received information about assembly of 6-7 miscreants in some orchard. A raid was conducted and four persons were apprehended including this petitioner. On search of the petitioner, recovery of a country made pistol with two live cartridges in magazine was made. Further recovery of knife, mobile phone and motorcycle



was made from the other apprehended co-accused persons.

04. Learned senior counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is no concrete material to show the involvement of the petitioner and no videography was done to show the recovery of firearms from the petitioner. There is no compliance of Section 105 of Bharatiya Nagarik Suraksha Sanhita during search and seizure. Learned senior counsel further submits that though the petitioner has been made accused in altogether 12 cases, this is due to high handedness of the police and successive implication in one after another case shows the biased conduct of the police. The petitioner is on bail in all 12 cases. The petitioner is in custody since 17.10.2024 and charge-sheet has been submitted.

05. Learned APP for the State opposes the prayer for bail. Learned APP submits that the petitioner appears to be a habitual offender and has been regularly committing crime.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to 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 learned Judicial Magistrate- 1st Class, Madhubani/court concerned in connection with Basopatti P.S. Case No. 188 of 2024, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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