

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22914 of 2025

Arising Out of PS. Case No.-177 Year-2024 Thana- SASARAM MUFFSIL District- Rohtas

YOGESH KUMAR S/O Kaushal Singh @ Kaushal Kumar Singh R/O Vill.-
Dhandharh, P.S.- Sasaram (M), Dist.- Rohtas, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh, Advocate

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

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

ORAL ORDER

2 05-05-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with Sasaram P.S. Case No. 177 of 2024, instituted for the offences punishable under Section 414 of the Indian Penal Code and Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, there is recovery of several articles of manufacturing arms. It is further alleged that one country made pistol and three live cartridges from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for



the petitioner also submits that the petitioner has got no concern with the alleged recovery of arms. The petitioner is in custody since 10.04.2024 and has got four criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by a Co-ordinate Bench of this Court vide order dated 17.02.2025 passed in Cr. Misc. No. 83184 of 2024.

5. Learned APP 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 and taking into account 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 ***after framing of charge, if not already framed*** on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sasaram P.S. Case No. 177 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)

Rajorshi/-

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