

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31983 of 2025

Arising Out of PS. Case No.-481 Year-2024 Thana- KOILWAR District- Bhojpur

Saroj Yadav @ Saroj Kumar S/o Gobind Dayal Yadav @ Govind Rai @
Gobind Dayal Rai Resident of Village- Sakkadi, PS- Koilwar, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 21-05-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Koilwar P.S. Case No. 481 of 2024 registered for the offences punishable u/s 310(4), 310(5) of the B.N.S. and under Section 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, the informant got secret information that some criminals have assembled and were planning to commit some criminal act. The informant reached for the verification of the said information, they saw three persons were standing and on seeing the police they tried to flee, however, they were apprehended by the police, thereafter, a search was made. On being searched, a country made pistol, a



live cartridge and a mobile phone was recovered from the conscious possession of the co-accused, namely, Anuj Kumar and a mobile phone was recovered from the conscious possession of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that no incriminating article has been recovered from the conscious possession of the petitioner. It is next submitted that the recovery of the pistol was made from the co-accused Anuj Kumar. It is lastly submitted that the petitioner has six criminal antecedents and is in custody since 16.12.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of the parties and taking into account the fact that no incriminating article has been recovered from the conscious possession of the petitioner and also considering the period of custody, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhojpur at Ara in connection with Koilwar P.S. Case



No. 481 of 2024, subject to the following conditions:-

(i) One of the bailors will be close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. The application stands allowed.

(Sourendra Pandey, J)

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