

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38557 of 2025

Arising Out of PS. Case No.-53 Year-2024 Thana- BITHAN District- Samastipur

Mahendra Yadav Son of Buchhi yadav Village- Kua Ward no. 1, Ps- Bithan,
Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-06-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Bithan P.S. Case No. 53 of 2024 for the offence under sections 25(1-B)(a), 26 and 35 of the Arms Act lodged on 09.06.2024 by the informant, Santosh Kumar.

3. As per the FIR, the Police during patrolling duty came to know that certain miscreants have assembled to commit big incident. They were intercepted and there is recovery from a car of country-made pistol beside motorcycles. This led to the FIR.

4. Learned counsel for the petitioner submits that he has no criminal antecedent, is a senior citizen, the Police due to enmity has implicated him and if granted relief, he shall be diligently appearing in trial.



5. Learned APP opposes the prayer submitting that the Police recovered motorcycles, mobiles as also country-made pistol upon raid.

6. Taking into account the submissions of the parties as also that the petitioner has no criminal antecedent and is sixty six years of age, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned J.M. 1st Class, Rosera, Samastipur in connection with Bithan P.S. Case No. 53 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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

