

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41493 of 2025

Arising Out of PS. Case No.-160 Year-2024 Thana- SALIMPUR District- Patna

MUSO YADAV @ SANNY KUMAR Son of Ramesh Prasad @ Mukhal
Yadav Resident of village - Salimpur Milki, Police Station - Salimpur, District
- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-07-2025 Heard Mr.Nilendu Kumar Choudhary, learned
counsel for the petitioner and Mr.Raj Ballabh Singh,
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody
since 26.04.2025 in connection with Salimpur P.S. Case
No. 160 of 2024, F.I.R. dated 25.05.2024 registered for the
offence punishable under Sections 398 and 401 of IPC and
Sections 25(1-B)(A)/26/35 of Arms Act.

3. The case relates to recovery of two country
made pistols and 28 live cartridges.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent and he has



falsely been implicated in the present case. The name of the petitioner has been transpired during investigation on the basis of the disclosure made by apprehended co-accused persons, namely, Nawal Yadav and Upendra Kumar and recovery has been made from possession of apprehended co-accused persons and except the disclosure made by apprehended co-accused persons, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and co-accused persons, namely, Nawal Yadav and Upendra Kumar have been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 22.10.2024 passed in Cr. Misc. No.74121 of 2024 and the petitioner is in custody since 26.04.2025.

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

6. Considering the aforesaid fact, petitioner has clean antecedent, nothing has been recovered from conscious possession of the petitioner and name of the petitioner has been transpired during investigation on the basis of the disclosure made by apprehended co-accused



persons and said co-accused persons, namely, Nawal Yadav and Upendra Kumar have been granted bail by a Coordinate Bench of this Hon'ble Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st Class, Barh, Patna in connection with Salimpur P.S. Case No. 160 of 2024, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) And, further condition that the 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.

(Rajesh Kumar Verma, J)

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