

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50175 of 2025

Arising Out of PS. Case No.-121 Year-2010 Thana- GOGRI District- Khagaria

Shisho Yadav S/O Late Mano Yadav Resident of Village- Mathor, P.S-
Muffasil (Khagaria), Dist- Khagaria, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate
For the State : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-08-2025 Heard the parties.

2. The petitioner is in custody in connection with Special Case No. 06 of 2010 arising out of Gogri P.S. Case No. 121 of 2010 for the offence punishable under sections 25(1-b)a and 26 of the Arms Act and section 21 and 22 of the NDPS Act, lodged on 08.08.2010 by the informant, Sunil Kumar.

3. As per the prosecution story, the informant alleged that on secret information that one person is moving with a bag (Jhola), intercepted and there is/was recovery of country made pistol, cartridges and also 5 Kilogram ganja. This led to the F.I.R.

4. Learned counsel for the petitioner submits that earlier he was granted bail, though he wanted to face trial, due to unforeseen circumstance, he could not appear which led to



issuance of process under section 83 of the Cr.P.C. and he is in custody since 09.05.2025. If granted bail, he shall be diligently appearing in trial.

5. Learned APP opposes the prayer for bail submitting that the petitioner wanted to delay the trial.

6. Considering the submissions of the parties as also the undertaking given that he shall be diligently appearing in trial, it is a case of misuse of the bail granted, in that background, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned District and Sessions Judge-V, Khagaria, in connection with Special Case No. 06 of 2010 arising out of Gogri P.S. Case No. 121 of 2010 subject to the following conditions:

(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 till the conclusion of the trial 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)

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