

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50233 of 2025

Arising Out of PS. Case No.-620 Year-2023 Thana- SAUR BAZAR District- Saharsa

Sujit Kumar Yadav @ Sujit Yadav @ Sujit Kumar S/o Sugan Yadav R/o
Rampur, Ward NO. 14, P.S.- Saur Bazar, Distt- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

For the Opposite Party/s : Mrs. Sucheta Yadav, APP

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

ORAL ORDER

3 25-07-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Sour Bazar P.S. Case No. 620 of 2023, instituted for the offences punishable under Sections 413, 411, 420, 414/34 of the Indian Penal Code, read with Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that there is recovery of one loaded country made pistol from the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case and Charge has also been framed against the petitioner. 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 has been arrested by the police without any fault. The petitioner is in custody since 12.10.2023 and has got six criminal antecedents in which he is on bail in five cases. 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 this Court vide order dated 26.02.2024 passed in Cr. Misc. No. 11629 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 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 Sour Bazar P.S. Case No. 620 of 2023, 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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