

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54927 of 2025

Arising Out of PS. Case No.-35 Year-2008 Thana- SAHEBPUR KAMAL District- Begusarai

Arun Yadav S/ O Neti Lal Yadav Resident of village- Chauki P.S.- Sahebpur
Kamal, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

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

ORAL ORDER

2 19-08-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with S.
Kamal P.S. Case No. 35 of 2008, instituted for the offences
punishable under Sections 25(1-B)(a) and 26 of the Arms Act.

3. The prosecution case, in short, is that there is
recovery of one country made pistol and three live cartridge
from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the
present is misuse of privilege of bail earlier granted to the
petitioner. Earlier the petitioner was granted bail on 20.09.2008
by the learned Court below. As a matter of fact, on 22.08.2019



bail bond of the petitioner was cancelled by the learned Court below for not doing proper *pairvi* . It is also submitted that a non-bailable warrant was issued against the petitioner on 20.11.2019 and process under Section 82 of Cr.P.C. was issued on 06.05.2024. Attachment of property under Section 83 of Cr.P.C. was issued on 27.07.2024 and on 06.03.2025 the petitioner was declared an absconder. Learned counsel for the petitioner further submits that the petitioner undertakes to abide by any conditions imposed by this Court, if released on bail.

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 as also the undertaking given 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. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with S. Kamal P.S. Case No. 35 of 2008, 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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