

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79823 of 2024

Arising Out of PS. Case No.-1088 Year-2023 Thana- KHAGARIA District- Khagaria

Baburam Yadav Son of Jichho Yadav Resident of Village - Badi Kothia, P.S. -
Muffasil, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate
		Mr. Ranjeet Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 16-04-2025 Heard Mr. N.K. Agrawal, learned Senior Counsel for
the petitioner and learned APP for the State.

2. The prosecution story is to be effect that the informant receives a secret information that a notorious criminal namely, Baburam Yadav (petitioner) had come to Dhusmuri Bisanpur Village and a Task Force was formed and a raid was conducted in which one person was apprehended disclosed his name as Baburam Yadav (petitioner) and from his possession four live cartridges of 9 mm bore was recovered from his *lungi* and one country made Sten gun was recovered from his house which was concealed in a tin box. It was further alleged that one person namely, Ritesh Kumar Yadav fled the place of occurrence.

3. The learned Senior Counsel for the petitioner has



submitted that the petitioner though carries long list of criminal antecedent but from perusal of the same it would be evident that the last case in which he was an accused was of the year 2000. He has not disputed the very factum that the petitioner was apprehended on the spot with one country made Sten gun and four live cartridges. Lastly, it has been submitted that the petitioner is in jail since 20.10.2023 that is for almost 18 months.

4. The learned APP for the State has vehemently opposes the prayer for bail and has stated that the petitioner was arrested on the spot with four live cartridges and one country made Sten gun.

5. Considering the aforesaid facts and circumstances and taking into account the period of custody i.e. of 18 months, the petitioner is directed to be released on bail furnishing bail bond of 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge IIIrd, Khagaria in connection with Session Trial No. 169 of 2024 arising out of Khagaria (Muffasil) P.S. Case No. 1088 of 2023, subject to the following conditions:-

(i) one of the bailors will be a close relative of the petitioner.



(ii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iii) It is expected that the petitioner shall make himself available on each and every date of the trial and any deviation from that would enable the prosecution to file a requisition for cancellation of his bail bond.

(Sourendra Pandey, J)

Raj Ranjan/-

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