

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87088 of 2024

Arising Out of PS. Case No.-267 Year-2024 Thana- BIHARIGANJ District- Madhepura

Jay Chand Yadav, aged about 47 years (M), S/O Sri Naresh Mandal, Resident of Village- Pakilpar, Ward No. 12, P.S- Bihariganj, Distt.- Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Amit Kumar Anand, Advocate
For the Opposite Party : Mr. Uday Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 18-03-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Bihariganj P.S. Case No. 267 of 2024 dated 10.08.2024 registered for the offences punishable under Sections 25(1-b)a and 26 of the Arms Act.

3. As per the prosecution case, the police apprehended the petitioner and on search, two (02) country made pistols, fourteen (14) live cartridges, three (03) empty cartridges and one mobile were recovered from the possession of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case merely on the basis of suspicion. It is submitted that no incriminating article has been recovered from his possession. There is no statutory compliance of Section 100 of the Cr.P.C. He has no concern with the alleged offence. There is no eye witness to the alleged offence. The petitioner has twelve (12) criminal antecedents and in all the cases, he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 10.08.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Udakishunganj, Madhepura in connection with Bihariganj P.S. Case No. 267 of 2024 with further conditions:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable



cause, the bail bonds of the petitioner are liable to be cancelled.

II. If the petitioner is found involved in similar nature of offence in future, his bail bond is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

U		T	
---	--	---	--

