

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86890 of 2024

Arising Out of PS. Case No.-152 Year-2024 Thana- NIRMALI District- Supaul

Kaushlendra Kumar Yadav Son of Lakshmi Yadav Resident of Village -
Majhura, Ward No. 9, Police Station - Nadi Thana, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

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

ORAL ORDER

2 07-01-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Nirmali P.S. Case No. 152 of 2024 instituted for the offence
under Sections 310(4) & 310(5) of the Bharatiya Nyaya Sanhita,
2023 and Sections 25(1-B)a, 26 & 35 of the Arms Act.

3. On secret information regarding assembly of anti-
social elements, police party raided the spot and apprehended
accused persons, including the petitioner. There is recovery of
one mobile phone from the possession of the petitioner, whereas
there is recovery of country made pistol from co-accused.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 28-08-2024. Petitioner



bears five criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Nothing incriminating has been recovered from the possession of the petitioner, rather there is recovery of one mobile phone from the petitioner, which belongs to the petitioner himself. It is submitted that no fire arms has been recovered from the petitioner. There is no compliance of Section 103 of the BNSS, 2023. It is lastly submitted that charge sheet has been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nirmali P.S. Case No. 152 of 2024, 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)

Raj Kishore/-

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