

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2081 of 2025

Arising Out of PS. Case No.-122 Year-2024 Thana- CIVIL LINE District- Gaya

Chandan Yadav @ Chandhu Yadav @ Chandu Son of Late Sadhu Sharan
Yadav Resident of Village - Ore Bigha, Police Station - Makhdumpur, District
- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Adv.

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

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

ORAL ORDER

2 17-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Gaya
Civil Line P.S. Case No. 122 of 2024 instituted for the offences
under Sections 25(1-b)a/26/35 of the Arms Act.

3. As per prosecution case, the police has recovered a
country-made pistol along with five live cartridges kept in a bag
from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
only on the basis of suspicion. He further submits that nothing
incriminating has been recovered from the conscious possession



of the petitioner. There is no specific allegation of any overt act against the petitioner. The petitioner has no concern with the alleged recovery of arms and ammunition. There is non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has three criminal antecedents and is languishing in judicial custody since 12.02.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Gaya Civil Line P.S. Case No. 122 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the



Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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