IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78068 of 2026

CNR No. BRHC011078452026

Arising Out of PS. Case No.-31 Year-2026 Thana- SEMAPUR District- Katihar

==========

Sunil Yadav @ Sunila Yadav Son of Late Kameshwar Yadav Resident of Village- Bhawanipur Dubba Tola, P.S.- Barari (Semapur O.P.) , District - Katihar

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr.Rajnish Kumar Singh, Advocate
For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

==========

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

2 04-11-2026 Heard Mr.Rajnish Kumar Singh, learned counsel for the petitioner and Mr.Ram Priya Sharan Singh, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 20.03.2026 in connection with Semapur P.S. Case No. 31 of 2026, F.I.R. dated 20.03.2026 registered for the offence punishable under Sections 25(1-b)a/26/35 of Arms Act.

3. The case relates to recovery of one country made pistol and five live cartridges from possession of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. There is non-compliance of the mandatory provisions of Section

WEB COPY

103(4) of BNSS, 2023. It appears from the FIR as well as the seizure list that one country made pistol and five live cartridges were recovered from possession of the petitioner and police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 20.03.2026.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that there is recovery from possession of the petitioner, apart from that, the petitioner carries four more cases other than the present one but fairly submits that out of four cases, the petitioner is on bail in two cases and rest two cases are pending for consideration before the competent court of law, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M.-I, Katihar in connection with Semapur P.S. Case No. 31 of 2026, with the following conditions:-

(I) Petitioner shall co-operate 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

WEB COPY

on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

U		T	

WEB COPY