

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.40277 of 2015**

Arising Out of PS.Case No. -168 Year- 2015 Thana -SAHPUR District- BHOJPUR

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Dharmendra Yadav Son of Moti Chand Yadav resident of village - Barahar  
Tola, Police Station - Jagdishpur, District - Bhojpur, Ara

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rajiva Ranjan

For the Opposite Party/s : Mr. Renuka Ratnakar (App)

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3 14-10-2015

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under Sections 399, 402, 414 and 120B of the Indian Penal Code and 25 (1-b)a, 26 and 35 of the Arms Act.

Allegation against the petitioner is that while he along with other accused were in the house of Krishna Yadav, police apprehended him and from his possession one double SBBL gun and four live cartridges were recovered.

It has been submitted on behalf of the petitioner that he is in custody since 6.6.2015. Charge sheet has been submitted in the case. There is no allegation of tampering of evidence against the petitioner. As per prosecution case, one country made double barrel gun along with four live cartridges is said to have been recovered from the possession of the petitioner. The same is denied by the petitioner. The other co-accused have been granted bail vide Cr. Misc. no. 42235 of 2015 and Cr. Misc. No. 38267 of 2015.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Shahpur P.S. Case no. 168 of 2015.

**(Sudhir Singh, J)**

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