

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47486 of 2015

Arising Out of PS.Case No. -161 Year- 2015 Thana -SAHPUR District- BHOJPUR

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1. Lal Babu Kumar Yadav @ Lal Babu Yadav Son of Sri Rajeshwar Yadav
Resident of village - Damodarpur, Police Station - Shahpur in the district of
Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.48105 of 2015

Arising Out of PS.Case No. -161 Year- 2015 Thana -SAHPUR District- BHOJPUR

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1. Manjay Yadav, son of Late Sheo Narayan Yadav resident of Village-
Suremanpur, P.S.- Shahpur, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.47486 of 2015)

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Ganesh Pd.Singh(App)

(In Cr.Misc. No.48105 of 2015)

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Smt. Indu Kumari Srivastava(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 03-11-2015 These are applications for grant of regular bail in favour

of the petitioners, who are accused in connection with Shahpur

P.S.Case No. 161 of 2015 registered for the alleged offences

punishable under Sections 399, 402, 414, 120B of the Indian

Penal Code and 25(1-b)a/26/35 of Arms Act.



Petitioner, Lal Babu Kumar Yadav @ Lal Babu Yadav, of Cr. Misc. No.47486 of 2015 was arrested by the police on 31.05.2015 with a single barrel gun. As regards petitioner, Manoj Yadav, of Cr. Misc. No. 48105 of 2015 is concerned, he has been named on the basis of statements made by the accused persons, who were apprehended by the police on 31.05.2015.

Mr. Akhileshwar Prasad Singh, learned Senior Counsel, appearing on behalf of petitioner, Lal Babu Kumar Yadav @ Lal babu Yadav, submits that no offence under Section 399 of the Indian Penal Code is made out against him. He further submits that no cartridge was recovered from petitioner's possession nor does the seizure list contain petitioner's signature. He also contends that there is no reference in the seizure list that the said seized gun was recovered from petitioner's possession.

Considering the submission as above, these applications are allowed.

Let the petitioners above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Ara in Shahpur P.S. Case No. 161 of 2015.

This is subject to the condition that the petitioners

shall present themselves before the Police/ Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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