

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39003 of 2014

Arising Out of PS.Case No. -66 Year- 2014 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

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Rajdeo Yadav S/o Late Mithu Yadav Resident of Village Balua Deoraj,
Police Station Yogapatty, District West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sachida Nand Rai, Advocate.

For the Opposite Party : Mr. Anita Kumari Singh(APP)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 03-04-2015 Heard learned counsel for the petitioner as well as
learned counsel for the State.

In this application for anticipatory bail the petitioner
apprehends his arrest for the offences punishable under sections 25
(1-B) a, 26 (ii) 26 (iii) and 35 of the Arms Act.

Allegedly, during raid from the bed of co-accused
Awadhesh Chaudhary two country made pistols have been
recovered and he disclosed that both the pistols have been given
by Mohan Mahto, Vijay Mahto and Shivnath Mahto and it was to
be sold to the petitioner and further recovery was made from
another room and from possession of Laxman Chaudhary
cartridges were recovered.

On behalf of the petitioner it is submitted that he has been implicated falsely, nothing has been recovered from his conscious possession and only on the basis of confession of a co-accused he has been implicated in this case resulting he is apprehending his arrest. Petitioner has filed Yogapatty P.S. Case No. 62 of 2014 against the relation of co-accused Awadhesh Chaudhary due to which he has given name of the petitioner in this case, to which the learned A.P.P. opposes.

In the facts and circumstances as stated above, considering that nothing has been recovered from possession of the petitioner or from his house and further as alleged Yogapatty P.S. Case No. 62 of 2014 has been filed against relation of co-accused Awadhesh Chaudhary by the petitioner and as such the petitioner in case of his arrest or surrender within two months from the date of receipt/production of a copy of this order shall 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. C.J.M. Bettiah, District- West Champaran in Yogapatty P.S. Case No. 66 of 2014, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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