

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5578 of 2016

Arising out of PS.Case No. -201 Year- 2015 Thana -PIRPAINTI District- BHAGALPUR

Bhola Yadav, son of late Ramdeo Yadav, resident of village - Bakharpur,
P.S. Pirpainty, District - Bhagalpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Janki Nandan Prasad, Advocate.

For the Opposite Party : Mr. Awdhesh Kumar Singh (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-03-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Pirpainty P.S. Case No. 201 of 2015 (G.R. No. 2406/2015) for
the offences instituted under Sections 25(1-b)a 26, 27 and 35 of
the Arms Act.

The prosecution story, in brief, is that the informant
received information that some persons are moving with arms. He
reached there and saw two persons on the road. One person armed
with gun and he seeing the police personnels made firing and fled
away but he was caught and other person fled away. The
apprehended person disclosed his name as Sanjay Yadav and also
stated the name of the accused who fled away as Bhola Yadav and

from possession of Sanjay Yadav one cartridge was recovered and also shown gun by him recovered with one cartridge.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner's name has come on the basis of confessional statement of the co-accused. There is no recovery of any incriminating article from conscious possession of the petitioner.

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

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Pirpainty P.S. Case No. 201/2015 (G.R. No. 2406/2015) on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Bhagalpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)