

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33247 of 2016

Arising Out of PS.Case No. -63 Year- 2016 Thana -BARACHATTI District- GAYA

Rupu Yadav S/o Lekha Yadav, resident of Village- Bardag Tola Sakat,
P.S.- Mohanpur, District-Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Hirday Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-09-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offences under Sections 25(1-b)a/26 of the Arms Act.

The prosecution story, in brief, is that on the alleged date and time of occurrence the informant along with C.R.P.F. Battalion went for raid in Bardag village and searched the house of the petitioner and from roof of the house of the petitioner, one country made katta, one dead round of .315 bore, three live cartridges of .315 bore and three empty cartridges were recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 5.3.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. The

petitioner has falsely been implicated in the present case at the instance of his cousin brother with whom there is a case pending between the parties. From the roof of the petitioner, two country made pistols, three live cartridges along with three empty cartridges are said to have been recovered. Same has not been recovered from the conscious possession of the petitioner. No offence under the Arms Act is made out against the petitioner.

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

Considering the aforesaid facts and circumstances, it is directed that 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 S.D.J.M., Sherghati, District Gaya in connection with Barachatti (Mohanpur) P.S. case No.63 of 2016.

(Sudhir Singh, J)

Narendra/-

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