

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51878 of 2016

Arising Out of PS.Case No. -117 Year- 2015 Thana -NIMCHAKBATHANI District- GAYA

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Satyendra Yadav son of Late Mahavir Yadav Resident of Village - Jharha
Police Station - Neemchak Bathani, District - Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Advocate
For the Opposite Party/s : Mrs. Sucheta Yadav, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 13-12-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
01.09.2016 in connection with Neemchak Bathani P.S. Case No.
117 of 2015 registered for the offence punishable under Sections
25(1-B)A and 26 of the Arms Act.

The prosecution case, as lodged by the police
personnel, is that during course of search of the house of accused
Sudhir Kumar Yadav in connection with Khizarsarai P.S. Case
No. 31 of 2015, house of the petitioner was also searched and one
country made rifle with two live cartridges and one fused cartridge
were found.

It has been submitted by the learned counsel for the



petitioner that petitioner and accused Sudhir Kumar Yadav were living in the same house and nothing has been recovered from the conscious possession of the petitioner. It has further been submitted that the petitioner has no criminal history and charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since charge-sheet has already been submitted and petitioner has been implicated only on the basis of suspicion, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Neemchak Bathani P.S. Case No. 117 of 2015.

(Nilu Agrawal, J.)

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