

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2406 of 2016

Arising Out of PS.Case No. -470 Year- 2015 Thana -MADHEPURA District- MADHEPURA

Vijay Yadav son of Dharamlal Yadav resident of Village: Turkahi,
Navtolia, Police Station: Madhepura (Bharrahi O.P.), District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Dhirendra Pratap Singh, Advocate

For the Opposite Party/s : Mr. Subhash Chandra Mishra(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 15-03-2016

Heard learned counsel for the petitioner and

learned A.P.P. representing the State.

The petitioner seeks bail in connection with Madhepura (Bharrahi) P.S. Case No. 470 of 2015 registered for the offences punishable under Sections 25(1-B)A, 26(II), 35 of the Arms Act.

Allegedly, during search the petitioner was found in injured condition lying on the bed having one country made rifle and cartridges and further one other country made rifle was recovered which was kept beneath the bed.

Submission is of false implication and that for the same occurrence, three cases have been instituted, Petitioner has got no criminal antecedent, the petitioner being injured was not in a position to give his statement and after regaining consciousness he also lodged Madhepura P.S. Case No.

483 of 2015 and, as such, the petitioner who is suffering in custody in this case since 29.08.2015, deserves sympathetic consideration.

The learned A.P.P. submits that the petitioner is involved in Madhepura P.S. Case No. 469 of 2015 and he is culprit of murder in that case.

In the facts and circumstances stated above, considering that in this case for recovery of fire-arm, the petitioner by remaining in custody has been sufficiently penalized and, as such, he is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Madhepura in connection with Madhepura (Bharrahi) P.S. Case No. 470 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

sushma/-

U		T	
---	--	---	--

