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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19498 of 2016

Arising Out of PS.Case No. -200 Year- 2015 Thana -LAUKHI District- MADHUBANI

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1. Binod Prasad Yadav @ Binod Yadav S/o Yashodhar Yadav Resident of Village- Mansapur P.S. Laukahi, District Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Manish Kumar No 13
For the Opposite Party/s : Mr. Bharat Bhushan (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 05-07-2016 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Laukahi P.S. Case No. 200 of 2015 registered for the offences punishable under Sections 25(1-b)A 26/35 of the Arms Act.

Learned counsel for the petitioner submits that though a raid was conducted and one country made pistol was recovered from the house of one Jamun Yadav, the petitioner is not named in the F.I.R. But, subsequently on the confessional statement made before the police by one Ashok Yadav, the name of the petitioner surfaced. It is further submitted that such statement made before the police by co-accused has no

evidentiary value in the eye of law and there has been no recovery from the possession of the petitioner.

Considering the aforementioned facts and circumstances of the case and that the petitioner is not named in the F.I.R and his name has come only on the confessional statement of co-accused Ashok Yadav, let the petitioner, above named, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the each amount to the satisfaction of the learned Judicial Magistrate, 1st Class, Jhanjharpur (Madhubani) in connection with Laukahi P.S. Case No. 200 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Anjana Mishra, J)

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