

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53063 of 2016

Arising Out of PS.Case No. -186 Year- 2016 Thana -SHIVSAGAR District- SASARAM
(ROHTAS)

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1. Pappu Yadav, son of Nathuni Yadav, resident of Laturu, P.S.- Sheosagar,
District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 21-12-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
04.07.2016 in connection with Sheosagar (Baddi) P. S. Case No.
186 of 2016 registered for the offence punishable under Sections
25 (1-b)a, 26, 27, 35 of Arms Act and Sections 3, 4 and 5 of
Explosive Substance Act.

The prosecution case as lodged by the police
personnel is that during course of checking, eight to ten persons
were apprehended and after search twenty four pieces of Electric
Detonators and five live cartridges of .12 bore were recovered
from the possession of co-accused, Manoj Yadav, thereafter,



police force searched the house of Sheomurat Rajvar and Vijay Rajvar from where country made rifle, two katta and cartridges were recovered and seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that nothing incriminating has been recovered from his possession and he has no criminal history and was just sitting with some of the co-accused and talking to them and he had no idea about the other accused persons that they have kept fire arms and explosive articles.

It has been submitted by the learned counsel for the petitioner that only on the basis of suspicion, the petitioner has been made accused and another accused of similar allegation, has since been granted the privilege of bail by Court below itself. He further submits that 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, 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 Additional Chief Judicial Magistrate- II, Rohtas at Sasaram in connection with Sheosagar P. S. Case No. 186 of 2016.

(Nilu Agrawal, J)

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