

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34618 of 2016

Arising Out of PS.Case No. -51 Year- 2014 Thana -SAKRI District- MADHUBANI

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Abhiram Yadav son of Kaleshwar Yadav, Resident of village- Tengraha
P.S. Bheja Distt. Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar, Advocate

For the Opposite Party/s : Smt. Anita Kumari. APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 03-10-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offences under Sections 216, 414 of the I.P.C. and Sections 25(1-B)/A/ 26/ 35 of the Arms Act.

The prosecution story, in brief, is that on the alleged date and time of occurrence on secret information that notorious accused Abhiram Yadav along with other co-accused residing in the house of Rajendra Yadav with illegal arms, the informant along with other police personnel came at the house of Rajendra Yadav and searched his house and from the possession of the petitioner one pistol of 9 MM along with two live cartridges and mobiles were recovered.

It has been submitted on behalf of the petitioner that

the petitioner is in custody since 17.7.2014. Charge has been framed. There is no allegation of tampering of witnesses alleged against the petitioner. One country made pistol along with two live cartridges is said to have been recovered from his possession. There is no compliance of Section 100 of the Cr.P.C.

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 Chief Judicial Magistrate, Madhubani in connection with Sakari P.S. case No.51 of 2014.

The petitioner is directed to be present on each and every date fixed by the Trial Court. If the Trial Court finds that the petitioner is not co-operating in the trial, the court below will be at liberty to cancel the bail of the petitioner.

(Sudhir Singh, J)

Narendra/-

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