

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30097 of 2017

Arising Out of PS.Case No. -170 Year- 2016 Thana -MADHEPURA District- MADHEPURA

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1. Mrityunjay Yadav Son of- Sakaldeo Yadav, resident of Village-
Tuniyahi, P.S.- Madheoura, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

This is a case registered under Sections 25(1-b)a, 26
and 35 of the Arms Act in connection with Madhepura P.S. Case
No. 170/2016.

Allegation in the F.I.R. pertains to firing by the co-
accused and the instant petitioner, which hit Vijendra Yadav, who
died on the spot. The co-accused, father of the petitioner Sakaldev
yadav also got injury. From his possession one country made
pistol and live cartridges were recovered. It is alleged that he
disclosed that the seized arms belongs to his son (the petitioner),
who admittedly has not been arrested on the spot and from his
possession no arms and ammunitions has been recovered.



Investigation in the instant case has been completed and charge-sheet has also been submitted. Hence, there is no chance of tampering with the prosecution evidence.

It has been submitted on behalf of the learned counsel for the petitioner that even though nothing has been recovered from possession of the petitioner, but he is in custody since 02.08.2016 and his father Sakaldev Yadav, from whose possession arms were recovered, has already been granted bail vide order dated 19.08.2016 passed in Cr. Misc. No. 31386/2016.

Considering the above submissions, prayer for bail of the petitioner is allowed. Let 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 the learned Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S. Case No. 170/2016.

(Madhuresh Prasad, J.)

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