

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32507 of 2017

Arising Out of PS.Case No. -39 Year- 2017 Thana -NATHNAGAR District- BHAGALPUR

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Tufani Yadav, son of Ucho Yadav, resident of village-Naya Tola Mirzapur,
P.S. Madhusudanpur (Nathnagar), District-Bhagalpur.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Opposite Party/s : Mr. Indra Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

02 13-07-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner seeks regular bail in connection with
Nathnagar (Madhusudanpur) P.S. Case No.39 of 2017 registered
for the alleged offences under Section 399 and 402 of the Indian
Penal Code and Section 25 (1-B) (a), 26 & 35 of the Arms Act.

As per the prosecution case, the petitioner and other
accused persons are said to have congregated for planning to
commit dacoity and country made pistol and three live cartridges
were recovered from the possession of the petitioner.

It has been submitted by learned counsel for the
petitioner that nothing incriminating article has been recovered
from the conscious physical possession of the petitioner. As a
matter of fact, the petitioner was working in the field at the time of



occurrence and the police called him to sign on the paper but as he failed to oblige him he was roped in this case. The petitioner has no criminal antecedent. The petitioner is languishing in jail custody since 08.02.2017. Similarly situated accused person, namely, Bishambhar Kumar @ Bishambhar Kumar Yadav @ Abhishekh Raj has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No.24255 of 2017 vide order dated 30.06.2017.

In the facts and circumstances of the case, the petitioner above named is directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M.-I, Bhagalpur in connection with Nathnagar (Madhusudanpur) P.S. Case No.39 of 2017 (G.R. No.486 of 2017).

(Prakash Chandra Jaiswal, J.)

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