

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12733 of 2017

Arising Out of PS.Case No. -11 Year- 2017 Thana -PARWATTA District- KHAGARIA

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1. Gajendra Yadav @ Gajo Yadav, Son of Late Mahendra Yadav, Resident of Village- Arriya, P.S.- Parbatta (Maraiya), District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhim Kumar Yadav

For the Opposite Party/s : Mr. Sri Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 19-05-2017 Heard both sides.

The petitioner apprehends his arrest in Parbatta (Maraiya) P.S. case No. 11 of 2017 under Section 25 (1-B) A, 27/26/35 of the Arms Act.

The informant got information that two groups, one led by Sakaldeo Yadav and another led by Gajendra Yadav @ Gajo Yadav are fighting with each other and they are exchanging shots. On such information, the informant and other police officials went there. Three persons, namely, Kare Yadav, Nagina Yadav and Dipak Yadav were apprehended and from their possession arms and ammunitions were recovered. The house of the petitioner was also searched and it is alleged that one empty cartridge of 315 bore was recovered from near the lavatory



situated in the courtyard of the petitioner.

The learned counsel for the petitioner submits that petitioner was not found in his house. The petitioner has falsely been implicated in the case. The petitioner has got no criminal antecedent.

Considering the facts that one empty cartridge was recovered from the courtyard of the petitioner, the petitioner was not present in his house and signature of the family members of the petitioner was not taken on the seizure list, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged 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 Additional Chief Judicial Magistrate-I, Khagaria in Parbatta (Maraiya) P.S. Case No. 11 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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