

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4947 of 2017

Arising Out of PS.Case No. -278 Year- 2016 Thana -MADHEPURA District- MADHEPURA

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1. Kanhaiya Kumar @ Kanhaiya Kumar Yadav, S/o Late Balkrishna Yadav,
resident of Village- Pipra Golma, Ward No.2, P.S.- Sonbarsa, District-
Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Manish Kumar 2, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 09-03-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

This is a petition for grant of regular bail in connection
with Madhepura (Barrahi outpost) P. S. Case No. 278 of 2016
registered for offences under Section 414 of the Indian Penal
Code and under Section 25 (1-b)a, 26 and 35 Arms Act and under
Section 47 (a) of Bihar Excise (Amendment) Act, 2016.

It has been submitted by the learned counsel for the
petitioner that the petitioner is innocent and has committed no
offence and he has falsely been implicated in the case at the
instance of some enemies of a relative of the petitioner, who
resides at the place of occurrence and the petitioner had gone to



see him. It is further submitted that nothing has been recovered from the possession of the petitioner and it is a case of plantation. It is submitted that 02 country made liquor have been recovered from a motorcycle, which does not belong to the petitioner. It is also submitted that a broken pistol with a cartridge were recovered from the possession of the petitioner and therefore, Arms Act is not made out against the petitioner. The petitioner is in custody since 21.05.2016.

Considering the facts and circumstances, let the above named petitioner, Kanhaiya Kumar @ Kanhaiya Kumar Yadav is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura (Barrahi outpost) P.S.Case No. 278 of 2016.

(Arvind Srivastava, J)

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