

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14062 of 2017

Arising Out of PS.Case No. -36 Year- 2016 Thana -EKCHARI District- BHAGALPUR

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1. Kamdeo Yadav, Son of Ganesh Yadav, resident of Village- Karari (Tintanga), P.S.- Gopalpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 10-05-2017 Heard both sides.

The petitioner seeks bail in Ekchari P.S. case No. 36 of 2016 under Section 25 (1-b) a 26/35 of the Arms Act.

The informant, a police officer, alleged that he got information that petitioner, his brother, Ranvir Yadav, and 4-5 other unknown criminals were going towards Bakiya Diara on a boat. The police chased them but the accused persons brought the boat by the side of river and fled away in a bush. It is alleged that arms and ammunitions were recovered from the boat.

The learned counsel for the petitioner submits that petitioner was not apprehended on the spot. Nothing has been recovered from the possession of the petitioner. The petitioner is in jail since 07.11.2016. Ranvir Yadav has already been kidnapped



and murdered for which a separate case is lodged.

It appears that, of course, the petitioner has got criminal antecedent and he is accused in as many as eight cases but in the present case the petitioner is said to have been carrying arms but he was not arrested with the arms and he is in jail for more than six months.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the above named petitioner 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-V, Bhagalpur in Ekchari P.S. Case No. 36 of 2016.

(Prabhat Kumar Jha, J)

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