

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32600 of 2017

Arising Out of PS.Case No. -45 Year- 2017 Thana -BARIYARPUR District- MUNGER

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1. Kesho Yadav, Son of Late Kamleshwari Yadav Resident of Village-Kajichak, P.S.-Bariarpur, District-Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sevak Choudhary

For the Opposite Party/s : Mr. Akhileshwar Dayal

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 25-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since 19.04.2017 in connection with Bariarpur P.S. Case No. 45/2017 for offences punishable under Sections 25(1-a), 25(1-B)a, 25(1-AC), 25(1-B)C, 25(1-AA), 26(1)(2)(3) of the Arms Act.

The prosecution case, as lodged by the police personnel, is that on telephonic information that two miscreants are trying to outrage the modesty of women going on the hills for wood, the police reached there and apprehended two persons with pistols and cartridges. On disclosure that the petitioner was carrying on business of manufacturing guns in his mini gun factory, the place was raided and several items were recovered for making of guns and pistols. Accordingly, a seizure-list was



prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and nothing has been recovered from his conscious possession. He submits that the seizure-list has not been prepared in accordance with Section 100 Cr.P.C. as witnesses are not independent witnesses and that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record as well as the period of custody, let petitioner, above named, 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 learned Chief Judicial Magistrate, Munger, in connection with Bariarpur P.S. Case No. 45/2017, G.R. 859/17, subject to the condition that one of the bailors would be a close relative of the petitioner.

(Nilu Agrawal, J)

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