

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 25050 of 2017

Arising Out of PS.Case No. -7 Year- 2017 Thana -JHAJHA District- JAMUI

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Kailu Singh @ Kailu, S/o Late Dhananjay Singh, Resident of Village-
Dadpur, P.S.- Jhajha, District- Jamui.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amar Prakash

For the Opposite Party/s : Mr. Shailendra Kumar -2

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 13-07-2017 Heard Sri Amar Prakash, learned counsel for the
petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Jhajha
P.S. Case No. 07 of 2017 (G.R. No. 73 of 2017) registered for
offence under Sections 25(1-b)a, 26, 35 of the Arms Act, 1959 and
Sections 30(a), 30(b) of the Bihar Prohibition and Excise Act,
2016, has prayed for grant of bail in the event of his arrest or
surrender.

It was submitted by learned counsel for the petitioner
that the petitioner has been made accused in the present case only
on the basis of confessional statement of one of the co-accused
namely Surendra Yadav, from whose possession, illegal arm was
recovered. He submits that ofcourse, on the basis of confession of



Surendra Yadav, who disclosed that he alongwith petitioner and two others were indulged in sale of *mahua*, a raid was conducted in a poultry farm and it was alleged that from the said poultry farm of the petitioner, huge quantity of *mahua* was recovered. According to learned counsel for the petitioner, the petitioner is the owner of the poultry farm and there is nothing to suggest that petitioner was having connection with the *mahua* flower, which was seized from the poultry farm.

Considering the nature of accusation as well as the fact that petitioner's name has come on the basis of confession of co-accused, there is no reason to refuse the prayer of petitioner.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Kailu Singh @ Kailu 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 S.D.J.M., Jamui in connection with Jhajha P.S. Case No. 07 of 2017, subject to condition as laid down under Section 438 (2) of the Cr.P.C.

(Rakesh Kumar, J.)

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