

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36793 of 2017

Arising Out of PS.Case No. -45 Year- 2017 Thana -JAGDISHPUR District- BHAGALPUR

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1. TUNMA YADAV @ PRAMANAND YADAV @ PRAMANAND @
HADDA YADAV @ TUNNA YADAV Son of Late Bhagwan Yadav, R/o
Village- Kolanarayanpur, P.S.- Jagdishpur, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Janki Nandan Prasad

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-08-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in judicial custody
since 23.02.2017 in connection with Jagdishpur
(Goradih) P.S. Case No. 45/2017 for offences punishable
under Sections 25(1-b)A/26 of the Arms Act.

The prosecution case, as lodged by the police
personnel, is that on a secret tip off that some criminals
have assembled and are planning to commit a major
offence, the police raiding party came to the place of
occurrence and found the petitioner fleeing away. He
was apprehended and from his possession one country-
made pistol and seven cartridges were recovered, out of



which two were in misfired condition. Accordingly, a seizure-list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that no overt act has been committed by him 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 stating therein that the petitioner has a criminal history.

Considering the facts and circumstances and the materials on record, 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, Bhagalpur, in connection with Jagdishpur (Goradih) P.S. Case No. 45/2017, subject to the condition that both the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/



court, who will file an affidavit stating their relationship with the petitioner.

(Nilu Agrawal, J)

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