

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47521 of 2017

Arising Out of PS.Case No. -106 Year- 2017 Thana -SIDHWALIA District- GOPALGANJ

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1. Ashok Prasad Yadav Son of Langatu Yadav, R/o Village- Hashanpur,
P.S.- Sidhwalia, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratnakar Pandey

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

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

3 30-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Sidhwalia P.S.
Case No. 106 of 2017 for offences punishable under Sections 25 (1-
b)/26/35 of the Arms Act.

The prosecution case as lodged by the police personnel is
that on secret information that, one Scorpio car, in which 4-5 persons
are boarded, carrying weapons, the police intercepted the said Scorpio
car. While one person managed to flee away, four others including the
petitioner were apprehended and from Dickey of the car, one loaded
pistol with six cartridges was recovered. Accordingly, a seizure



list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and nothing has been recovered from his conscious possession. He submits that one of the co-accused, apprehended along with the petitioner, has been granted privilege of bail by a co-ordinate Bench of this Court in Criminal Miscellaneous No. 53090 of 2017 on 15.11.2017 and that petitioner is languishing in judicial custody since 7.8.2017 for more than three months.

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

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, Gopalganj, in connection with Sidhwalia P.S. Case No. 106 of 2017 subject to the conditions that :

- (i) One of the bailors shall be a local person having sufficient immovable properties within the jurisdiction of the court concerned.



(ii) Petitioner shall co-operate in trial and appear on each and every date in court, failing which his bail bond shall be cancelled.

(Nilu Agrawal, J)

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