

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31634 of 2017

Arising Out of PS.Case No. -15 Year- 2017 Thana -UDAKISHANGANJ District- MADHEPURA

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Navin Yadav, son of Bhajjo Yadav @ Gajjo Yadav, resident of village
Barahi, P.s. Udakishunganj, District Madhepura

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 12-07-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody
since 22.03.2017 in connection with Udakishunganj P.S.
Case No. 15 of 2017 registered for the offence punishable
under Sections 25(1-b)a, 26 and 35 of the Arms Act and
Section 30(a) of the Bihar Prohibition Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that during course of checking, they
intercepted one motorcycle on which three youths were
pillion riding. On seeing the police, all three of them started
fleeing away, but on chase one Anil Kumar Yadav was
apprehended from whose possession four litres mahua wine



and one loaded pistol with one cartridge was recovered. On confession of said Anil Kumar Yadav, house of the petitioner was raided and 15 litres country made liquor was recovered from a dilapidated kitchen.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has falsely been implicated in the aforesaid case. He submits that nothing has been recovered from conscious possession of the petitioner and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence. He further submits that no case under the Arms Act is made out against the petitioner, as there is no recovery of arms from his possession.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sub-



Divisional Judicial Magistrate, Uda-kishunganj, District
Madhepura in connection with Uda-kishunganj P.S. Case
No. 15 of 2017.

(Nilu Agrawal, J.)

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