

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27559 of 2018

Arising Out of PS.Case No. -255 Year- 2017 Thana -KAKO District- JEHANABAD

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Bilendra Yadav S/o Kamaldeo Yadav, R/o Vill.- Repura, P.S.- Kako
(Bhelawar O.P.), in the District of Jehanabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Navin Sharma

For the Opposite Party/s : Mr. Yogendra Kr. Singh(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 09-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
20.12.2017 in connection with Kako (Bhelawar O.P.) P.S. Case No.
255 of 2017 for offences punishable under Sections 25 (1-
B)a/26/34 of the Arms Act.

The prosecution case, as lodged by the police
personnel, is that on information that one dreaded criminal
Gehwan Yadav is hiding in the house of one Yogendra Yadav, the
house of the said co-accused Yogendra Yadav was searched and



from the house a rifle was recovered. The petitioner as well as Yogendra Yadav were made accused in the present case.

It has been submitted by the learned counsel for the petitioner that he is innocent, recovery is not from his conscious possession and that Yogendra Yadav has already been granted the privilege of bail by a co-ordinate Bench of this Court in Cr. Misc. No. 23337 of 2018 vide order dated 24.04.2018. It is submitted that the house belonged to all family members, no overt act has been alleged to have been committed by the petitioner and no cartridge has been recovered.

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 Sub-Judge-IV-cum-Additional Chief Judicial Magistrate, Jehanabad in connection with Kako (Bhelawar O.P.) P.S. Case No. 255 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable



property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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