

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31347 of 2018

Arising Out of PS.Case No. -83 Year- 2017 Thana -NATHNAGAR District- BHAGALPUR

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Purushotam Kumar @ Chhotu Yadav, s/o – Ram Ratti Yadav, Resident of
village – Latra, P.S. – Gopalpur, District - Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Adv.

For the Opposite Party/s : Mr. Mukeshwar Dayal, A.P.P

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

02 21-05-2018

Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in Nath Nagar P.S. Case
No. 83 of 2017 registered under Sections 25(1-AA) 25(1-b)A,
26/35 of Arms Act and 3/4 of Explosive Substance Act.

Two country made pistols and 30 live cartridges
are said to have been recovered from the possession of the
petitioner while one country made pistol and 13 live cartridges
were recovered from the possession of co-accused Rahul Yadav
and from the confessional statement of co-accused and
petitioner a bomb was recovered from the rented room of the
aforesaid accused persons.

It is submitted by learned counsel for the
petitioner that the petitioner is quite innocent. He has no



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concern with the aforesaid occurrence. No incriminating article has been recovered from his conscious physical possession. He has no concern with the seized articles. He has been falsely implicated in this case by planting the aforesaid recovery from his possession. Though seven other criminal cases have been lodged against the petitioner but he is on bail in the aforesaid cases. The petitioner has been languishing in custody since 16.03.2017. Co-accused, namely, Rahul Yadav has been enlarged on bail by a co-ordinate bench of this court vide order dated 18.10.2017 passed in Cr. Misc. No. 50025 of 2017.

Considering the facts aforesaid, the above named petitioner/s is/are directed to 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 the learned 2nd Additional District and Sessions Judge-cum-Special Judge, Bhagalpur in connection with Nath Nagar P.S. Case No. 83 of 2017.

(Prakash Chandra Jaiswal, J.)

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