

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48126 of 2018

Arising Out of PS.Case No. -80 Year- 2018 Thana -BAKHTIARPUR District- SAHARSA

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1. Pawan Yadav, Son of Vilo Yadav,
2. Binod Yadav, Son of Siyaram Yadav, Both residents of Village- Sonpura
Goriya Tola (O.P. Bawahat), P.S.- Bakhtiarpur, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ashok Kumar Singh 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-09-2018 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The Petitioners seek regular bail in connection with
Bakhtiarpur (Balwa Hat O.P.) P.S.Case No. 80 of 2018, registered
for offences punishable under Sections 25 (1-b) a, 26 and 35 of
Arms Act.

As per F.I.R., allegation against the petitioner is of
recovery of one country made pistol from the possession of
petitioner No. 1 and one country made pistol and cartridge from
the possession of the petitioner No. 2.

Submission of the learned counsel for the
petitioners is that they have been falsely implicated in this case
rather the recovery of arms from the house of one Bhikhan Sah
and the petitioners have been roped in this case due to ulterior



motive and they are in custody since 06.03.2018 and charge sheet has already been submitted against the petitioners.

Heard learned A.P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa Bakhtiarpur (Balwa Hat O.P.) P.S.Case No. 80 of 2018, subject to the following conditions:-

- i) One of the bailors of the petitioners shall be a local person, having sufficient immovable property within the jurisdiction of the concerned Court.
- ii) The petitioners will not induce any witness or tamper with the evidence.
- iii) It is made clear that if petitioners found involved in any of the like offences, in future, prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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