

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48261 of 2018

Arising Out of PS. Case No.-8 Year-2017 Thana- MADHUBANI TOWN District-
Madhubani

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Santosh Yadav, Son of Dev Narayan Yadav, Resident of Village- Salempur,
P.S.- Bisfi, Distt- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar

For the Opposite Party/s : Mr. Mukesh Kumar Singh

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

ORAL ORDER

3 28-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Madhubani Town P.S. Case No. 8 of 2017 registered for the
offence punishable under Sections 25(1-B)a, 26, 35 of the Arms
Act.

One country made pistol is said to have been
recovered from dicky of the motorcycle of the petitioner and
petitioner managed to escape while another accused sitting on
the said motorcycle, namely, Alok Kumar was apprehended.

It is submitted by learned counsel for the petitioner
that the petitioner has no concern with the aforesaid occurrence.
He has been falsely implicated in this case. Though, he happens



to be owner of the aforesaid motorcycle, but he had given the said motorcycle to Alok Kumar for plying the same on his request and he had no knowledge of keeping of arms in the said motorcycle by him and Alok Kumar on his arrest has falsely implicated the petitioner in the occurrence to save his skin in the said case. Though, one more criminal case has been lodged against the petitioner, but he is on bail in the aforesaid case. He has been languishing in custody since 22.02.2018. Aforesaid Alok Kumar has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 09.05.2017 passed in Cr. Misc. no. 20753 of 2017.

In the facts and circumstances of the case, the above named petitioner is 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 Chief Judicial Magistrate, Madhubani in connection with Madhubani Town P.S. Case No. 8 of 2017.

(Prakash Chandra Jaiswal, J)

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