

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14969 of 2018

Arising Out of PS.Case No. -636 Year- 2017 Thana -NATHNAGAR District- BHAGALPUR

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Ajay Yadav S/o Suresh Prasad Yadav, R/o village- Bhimkitta, P.S.-
Madhusudanpur, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh 1

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 16-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Nathnagar
(Madhusudanpur) P.S. Case No. 636 of 2017, G.R. No. 5695 of
2017 for offences punishable under Sections 25 (1-B) a & 26 of
the Arms Act.

The prosecution case, as lodged by the police
personnel, is that during patrolling duty, they apprehended the
petitioner and on search from his possession one country made
pistol loaded with one cartridge and two live cartridges were
recovered. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and no



overt act has been alleged to have been committed by the petitioner. He submits that charge-sheet has already been submitted and the petitioner is languishing in judicial custody since 30.10.2017.

However, learned APP for the State opposes the prayer for bail stating therein that on the same day for the same antecedent another case under the Excise Act has been lodged against the petitioner and he does not have a clean history.

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 Additional Chief Judicial Magistrate-I, Bhagalpur in connection with Nathnagar (Madhusudanpur) P.S. Case No. 636 of 2017, G.R. No. 5695 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)

Devendra/-

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