

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12939 of 2018

Arising Out of PS.Case No. -359 Year- 2017 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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1. Bhikhari Yadav Son of Sri Bhola Yadav, Resident of Village-Parvatiya
Tola, P.S.-Bettiah Muffasil, District-West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 07-03-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offences punishable under Sections 25(1-b)a/26/35 of the Arms
Act.

Submission of the learned counsel for the
petitioner is that recovery of fire-arm is from the vehicle and not
from the conscious possession of the petitioner nor the petitioner
was intercepted from the said vehicle. The petitioner is in custody
since 04.09.2017 and similarly situated co-accused Sinkandar
Yadav has already been allowed bail by a coordinate Bench of this
Court in Cr. Misc. No.60774 of 2017 vide Annexure-2.

Considering the aforesaid fact, let the petitioner,



above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Bettiah Muffasil P.S. Case No.359 of 2017, with condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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