

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3655 of 2018

Arising Out of PS.Case No. -291 Year- 2017 Thana -CHAINPUR District- BHABHUA (KAIMUR)

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1. Surendra Yadav S/o Murat Yadav R/o Village - Semariya (Sadauli), P.S.
- Chainpur, District - Kaimur (Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 13-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Chainpur P.S.
Case No. 291 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 on secret information the petitioner was
apprehended along with country made pistol and two live
cartridges. From the house on further search one gun was
recovered along with motorcycle for which he did not offer any
explanation. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent, no overt act has been committed and



the petitioner is languishing in judicial custody since 08.11.2017. He submits that the said firearms were not in working condition but no expert opinion has been taken regarding the said firearm. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses and that the motorcycle belonged to him.

However, learned APP for the State opposes the prayer for bail.

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 Chief Judicial Magistrate, Kaimur at Bhabua in connection with Chainpur P.S. Case No. 291 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Devendra/-

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