

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65130 of 2018

Arising Out of PS. Case No.-256 Year-2018 Thana- BARH District- Patna

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Arun Yadav Son of Birju Yadav Resident of Village- Gawasha Shekhpura,
Police Station- Pandarak, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh
For the Opposite Party/s : Mr. Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-12-2018 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 25(1-B)a, 26 and 35 of the Arms Act.

The prosecution case as per the written report of Rajendra Ram dated 22.7.2018 submitted to the SHO, Barh Police Station is to the effect that on the same day at about 3.10 A.M. during patrolling when three persons were stopped, two managed to escape while one was apprehended who disclosed his name as Mukesh Kumar. Mukesh also disclosed the names of two escaped persons, one of them being petitioner Arun Yadav. It is further alleged that from the apprehended person four country made pistols, one of which was loaded with live cartridge and and 12 live cartridges were seized.



It is submitted by learned counsel for the petitioner that due to enmity the petitioner has been roped in the present case. Admittedly, there is no recovery from the petitioner. Though the petitioner is accused in two other cases of petty nature but he is on bail in those cases.

Considering the fact that earlier the petitioner was not accused in any case of Arms Act and no recovery has been made from his possession, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, Barh in connection with Barh P.S. Case No.256 of 2018 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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