

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9236 of 2018

Arising Out of PS. Case No.-136 Year-2016 Thana- PUPRI District- Sitamarhi

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Pawan Kumar Yadav @ Pawan Rai S/o Kapileshwar Yadav, R/o Village-
Brahmpur, P.S.- Kamtaul, District- Darbhaanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar

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

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

ORAL ORDER

2 19-02-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in connection with Pupri P.S. Case no. 136 of 2016 registered under Sections 399, 402, 414 of the Indian Penal Code, Section 25(1-b)a, 26, 35 of the Arms Act, Section ¾ of Explosive Substance Act and Section 47(a) of the Bihar Excise and Prohibition Act 2016.

On tip off, police raided the D.A.V. school road, Pupri and arrested six persons with arms and ammunition and explosives and one lt. of country made liquor was recovered. The apprehended accused persons disclosed the name of the petitioner as their fleeing accomplices.

It is submitted by learned counsel for the petitioner that no



incriminating article has been recovered from his conscious physical possession. He has no concern either with the aforesaid incriminating article seized by the police or with the apprehended accused persons. He was not apprehended on the spot. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring confessional statement of aforesaid accused persons. He has been languishing in custody since 23.08.2017. The apprehended accused persons have been enlarged on bail by different co-ordinate Bench of this Court.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ-II-cum-Special Judge, Excise Act, Sitamarhi in connection with Pupri P.S. Case no. 136 of 2016.

(Prakash Chandra Jaiswal, J)

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