

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11524 of 2019

Arising Out of PS. Case No.-460 Year-2018 Thana- FORBESGANJ District- Araria

Umesh Kumar Yadav Son of Bhadur Yadav Resident of Village – Sihali, P.S.
Sarasi, Dist. Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 12-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 399, 402 of the Indian Penal Code and Sections 25(1-
b)a/26/35 of the Arms Act.

Allegation is that one country made pistol is
recovered.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 22.06.2018 and has got no
criminal antecedent. Charge sheet has been submitted in the
case. There is no allegation of tampering of witnesses alleged
against the petitioner. Petitioner has been made due to mistake
of fact. One country made pistol is said to have been recovered
from the possession of co-accused Sanjay Kumar Yadav. The



petitioner has remained in custody for more than six months.

There is no compliance of Section 100 of Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. case No.460 of 2018.

(Sudhir Singh, J)

Narendra/-

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