

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15978 of 2019

Arising Out of PS. Case No.-216 Year-2018 Thana- CHARPOKHARI District- Bhojpur

SUDARSHAN YADAV aged about 32 years, Son of Late Khadern Yadav
Resident of Village- Bhadevi Tola, P.S.- Charpokhari, District- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh
For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 14-03-2019 Heard both sides.

The petitioner apprehends his arrest in Charpokhari
P.S. Case No.216 of 2018 registered under Sections 25(1-b)a, 26
and 35 of the Arms Act.

The police on secret information that the petitioner
was indulged in preparing and selling liquor raided house of the
petitioner situated in Madari Tola but no liquor was recovered
from the house of the petitioner. During the course of search and
seizure, a bag was recovered from the field of the petitioner. On
opening the bag, one country made gun in two parts of .315 bore
was recovered.

The learned counsel for the petitioner submits that for
the recovery of country made gun that too from the field
situated at long distance from the house of the petitioner, the



petitioner cannot be held responsible.

Taking into consideration the facts aforesaid and the fact that the petitioner has got no criminal antecedent and nothing has been recovered from the house of the petitioner rather the recovery is made from the field situated outside the house of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Ara in connection with Charpokhari P.S. Case No.216 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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