

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17974 of 2019

Arising Out of PS. Case No.-739 Year-2018 Thana- KAHALGAON District- Bhagalpur

MANISH KUMAR YADAV @ RINKU KR. YADAV, aged about 20 years
(M), Son of Kanhaiya Yadav, Resident of Village - Salempur, P.S.- Pirpainty,
Distt.- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Indeshwari Prasad Mandal, Advocate.
For the Opposite Party : Mr.Uday Chand Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-04-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
14.12.2018 in a case for the offence registered under Sections
401, 419, 420, 414, 467, 471, 386, 384 of the IPC, 25(1-b) a, 26
and 35 of the Arms Act.

The prosecution story, in brief, is that the one loaded
country made pistol alongwith three cartridges is alleged to have
been recovered from Bolero vehicle which was driven by the
petitioner.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
Charge sheet has been submitted in the present case. There is no



allegation of tampering with the witnesses alleged against the petitioner. One loaded country made pistol alongwith three live cartridges is alleged to have been recovered from Bolero vehicle which was driven by the petitioner. The vehicle in question does not belong to the petitioner. There is no recovery of arms from conscious possession of the petitioner. There is no compliance of Section 100 Cr. P.C.

On behalf of the learned counsel for the State, it has been 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 the learned C.J.M., Bhagalpur, in connection with Kahalgaon P.S. Case No. 739 of 2018.

(Sudhir Singh, J)

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