

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37725 of 2019

Arising Out of PS. Case No.-19 Year-19 Thana- TIKAPATTI District- Purnia

=====

SAURAV YADAV @ SAURAV KUMAR, aged about 21 years, Male, S/o
Madho Yadav, Resident of Navin Nagar Kadhea, P.S.- Kadaura, District-
Bhagalpur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr.Dr. Bidhu Ranjan, Advocate.
For the Opposite Party : Mr.Nagendra Prasad, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-06-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since 20.02.2019
in a case for the offence registered under Sections 414 of the
IPC, 25(1-b) A, 26 and 35 of the Arms Act.

The prosecution story, in brief, is that on 19.02.2019,
criminals attempted to rob the Motorcycle of Mangesh Kumar
Mandal but due to alarm, criminals leaving their Motorcycle
fled away in Maize field. The informant went at the place of
occurrence and apprehended co-accused Dilkhush Kumar,
Brajesh Kumar and Saurav Kumar (petitioner). In the meantime,



villagers also reached there. In presence of independent witnesses, informant recovered one country made pistol, one live cartridge, Mobile with SIM from co-accused Dilkhush Kumar and one Mobile was recovered from possession of this petitioner.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. No arms is alleged to have been recovered from possession of the petitioner. One country made pistol alongwith live cartridge and Mobile is alleged to have been recovered from co-accused Dilkhush Kumar and one Mobile Phone is alleged to have been recovered from the petitioner. The Mobile recovered from the petitioner belongs to him. There is no compliance of Section 100 of 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.
Purnia, in connection with Tikapatti P.S. Case No. 19/19.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

