

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45553 of 2019**

Arising Out of PS. Case No.-528 Year-2018 Thana- JOGAPATTI District- West Champaran

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DURGESH YADAV Son of Sri Bhikhari Yadav Resident of Village - Dihi  
Madarpur, P.S.- Jogapatti, District- West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Ahmad Ali

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      23-07-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

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

Prosecution allegation, in short, is that on secret informant when the police party reached the place of occurrence, the accused persons, variously armed, started fleeing away but were apprehended.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.2.2019 and has got no criminal antecedent. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. There is no recovery of



arms from the possession of the petitioner. The name of the petitioner has transpired on the basis of confession of co-accused namely Hari Lal Yadav, Tilakdhari Yadav and Raghav Yadav.

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

Considering the aforesaid facts and circumstances, it is directed that 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, West Champaran in connection with Jagopatti P.S. Case No. 528 of 2018.

**(Sudhir Singh, J)**

Pankaj/-

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