

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54400 of 2019

Arising Out of PS. Case No.-622 Year-2018 Thana- SAUR BAZAR District- Saharsa

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FULEN YADAV Son of Sikandar Yadav Resident of Village - Pipra Ward No. 1, P.S. - Sour Bazar (Pattargaht O.P.), Distt - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shiva Shankar Sharma

For the Opposite Party/s : Mr.Satyavrat Verma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-08-2019 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 25(1-b)a and 26 of the Arms Act.

Prosecution case, in short, is that one country made gun along with one live cartridge is recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 26.4.2019 and has got no criminal antecedent. Charge-sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that one country made gun along with one live cartridge is recovered. The petitioner is said to have been identified by the Chowkidar while fleeing away in the torch light. There is a single identification. Except for this,



there is no other substantive evidence to suggest his implication in the present case. There is no compliance of Section 100 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, 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, Saharsa in connection with Sour Bazar P.S. Case No. 622/2018.

(Sudhir Singh, J)

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