

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71536 of 2019

Arising Out of PS. Case No.-13 Year-2019 Thana- DANAPUR District- Patna

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Jai Prakash Yadav @ J. P. @ J. P. Yadav @ Jai Prakash Rai, aged about 30 years, Male, Son of Ramji Rai, resident of Mohalla Tarachak, Ward No. 8, P.S. Danapur, District Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Mouar

For the Opposite Party/s : Mr.Madhura Nand Jha

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 04-12-2019 Heard both sides.

The petitioner seeks bail in Danapur P.S. Case No.13 of 2019, registered under Sections 25(1-B)a/26/35 of the Arms Act.

The police intercepted a motorcycle and arrested one Rahul Kumar from whose possession arms and ammunition were recovered. The petitioner managed to flee away. While the petitioner was fleeing away, some arms and ammunition were left by the petitioner near the motorcycle and the arms and ammunition were recovered.

Learned counsel for the petitioner submits that in fact the petitioner was not apprehended at the spot. Name of the petitioner figured in the case in the disclosure made by Rahul



Kumar and the recovery was made from the place from where Rahul Kumar was arrested. The petitioner is in jail since 01.07.2019. It is further submitted that one criminal case of the year 2005 registered under Sections 387 of the Indian Penal Code is pending against the petitioner and in another case being Khagaul P.S. Case No.86 of 2018, registered under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act, the petitioner is made accused but the petitioner is not named in the FIR and petitioner has been granted anticipatory in the case. In the present case, the petitioner is in jail for more than five months.

Considering the facts aforesaid, petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1st, Danapur in connection with Danapur P.S. Case No.13 of 2019.

(Prabhat Kumar Jha, J)

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