

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68202 of 2019**

Arising Out of PS. Case No.-318 Year-2019 Thana- SUPAUL District- Supaul

Rajesh Yadav, Son of Hare Ram Yadav, Resident of Village - Mokna, P.S.-
Supaul, Distt. - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Prasad Verma, Advocate

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER**

2 05-11-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody since 10.05.2019 in connection with Supaul P.S. Case No. 318 of 2019, registered for the offence under Sections 341,504 of the Indian Penal Code and Section 25(1-b)a, 26,35 of the Arms Act.

Learned counsel for the petitioner submits that the alleged recovery was said to be from the petitioner by private persons standing near the house of one Lal Bihari. It is further submitted that the entire case is false and fabricated and nothing has been recovered from his conscious possession and moreover, provisions under Section 25(1-b) could not be attracted as the provision under Section 37 shall apply.

Considering the fact that the recovery was made by



private persons and not by police and that the Section made out is bailable, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul, in connection with Supaul P.S. Case No. 318 of 2019.

(Anjana Mishra, J)

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