

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79515 of 2019

Arising Out of PS. Case No.-28 Year-2019 Thana- LADANIA District- Madhubani

BINOD YADAV Son of Nagendra Yadav Resident of Village - Yogiya, P.S.-
Ladaniya, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-12-2019 Heard learned Counsel for the petitioner and the
learned APP for the State.

The petitioner, who is in custody, seeks bail in a case registered under Section 25(1-b) and 26 of the Arms Act in connection with Ladaniya PS Case No. 28 of 2019.

Three country made pistols and six live cartridges are alleged to have been recovered from co-accused Birendra Kumar by the police party. It is alleged that certain persons had fled away from the scene. Petitioner's name has been disclosed by the apprehended Birendra Kumar.

It is submitted by petitioner's Counsel that implication on the basis of co-accused has no sanctity in the eye of law. Submission is of false implication and that the implication has led to no recovery. Petitioner is in custody since



25.8.2019 and it is said that he bears no criminal antecedent.

In the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of ACJM IIIrd Maddhubani in Ladaniya PS Case No. 28 of 2019 subject to the conditions:- (I) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner. (ii) That the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to the cancelled.

(Madhuresh Prasad, J)

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