

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18454 of 2020

Arising Out of PS. Case No.-1005 Year-2019 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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KAILASH YADAV Son of Late Laxman Yadav Resident of Village - Barari,
(Madhu Chak), P.S.- Barari, Distt - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad
For the Opposite Party/s : Mr.Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-06-2020 This case has been heard through video- conferencing.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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

Prosecution case as lodged by the police personnel is
that on secret information that one Kailash Yadav with his
associates are planning for dacoity having arms, he reached
there and after seeing the police they started fleeing from there
but raiding squad chased them and caught one of them. On
asking he told his name as Kailash Yadav (petitioner). Informant
further stated that Desi Katta and 315 MM cartridges was



recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that he is innocent and has been falsely implicated in this case. He submits that there is general and omnibus allegation against the petitioner and nothing specific about any one. He submits that name of the petitioner has sprang up on the basis of confessional statement. He further submits that petitioner is in judicial custody since 14.11.2019.

Learned counsel for the State vehemently opposes the prayer for bail and submits that there is recovery of one pistol along with 315mm cartridge from the possession of the petitioner.

In the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Kotwali (Barari) Police Station Case No. 1005 of 2019.

(Anjani Kumar Sharan, J)

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