

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74197 of 2019

Arising Out of PS. Case No.-350 Year-2019 Thana- SIRDALA District- Nawada

SADHU SHARAN YADAV Son of Dahu Pd Yadav Resident of Village -
Parkurha, P.S.- Sirdala, District- Nawadah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-03-2020 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, 26 of the Arms Act, 3, 4, 8 of Explosive Substance Act and 16, 18 and 20 of U.A.P. Act.

The prosecution case in short is that the huge quantity of explosives and cartridges including other incriminating articles were recovered from accused persons.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 5.8.2019 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. The premises from where the



detonator, cartridges and other articles are said to have been recovered is not the exclusive property of the petitioner rather it is a joint family property. There is no compliance of Section 100 Cr.P.C. It is further submitted that the petitioner may be released after completion of one year in custody.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The alleged recovery is from the constructive possession of the petitioner. 43 cartridges along 81 detonators are said to have been recovered along with other incriminating articles.

Considering the aforesaid facts and circumstances, **on completion of one year in custody**, 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, Nawada in connection with Sirdala P.S. Case No. 350 of 2019.

(Sudhir Singh, J)

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