

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44042 of 2015

Arising Out of PS.Case No. -117 Year- 2015 Thana -NIMCHAKBATHANI District- GAYA

1. Satyendra Yadav S/o Late Mahavir Yadav Resident of Village- Katari,
Tola- Jharha Police Station- Neemchak Bathani, District- Gaya.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Shailesh Kumar

For the Opposite Party : Mr. Narsing Tanti(App)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 14-10-2015

Heard the counsel for the petitioner and the State.

Petitioner apprehends his arrest in connection with
Neemchak Bathani P.S. case no. 117 of 2015 registered for the
offences punishable under Sections 25(1-b)A and 26 of the Arms
Act.

A search was conducted for arrest of Sudhir Kumar
Yadav in connection with a case. Upon his arrest he made
disclosure whereafter the informant is said to have searched the
house in possession of the petitioner wherefrom a country made
rifle with few live and empty cartridges was/were recovered.

Contention of the petitioner is that the petitioner was
not present in the house and the copy of the seizure memo was not
given to him. It is also submitted that petitioner has fair

antecedent and the house was jointly owned and possessed by co
accused Sudhir Kumar Yadav.

Learned APP opposed the prayer and submitted that it
was the house/room in possession of the petitioner which was
searched and recovery was made. In my view, it is not a fit case
where the petitioner be privileged with anticipatory bail. Prayer
is rejected.

Let petitioner surrender and seek for regular bail
before the learned Court below. In that event the Court below shall
consider and dispose of the same on its own merit and pass
appropriate order uninfluenced by the present order

(Kishore Kumar Mandal, J)

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