

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1150 of 2017

Arising Out of PS.Case No. -336 Year- 2016 Thana -MADHEPURA District- MADHEPURA

=====

ABHAY YADAV @ ABHAY KUMAR, son of Late Najo Yadav, resident
of Village- Mathahi, Police Station and District- Madhepura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Durgesh Kumar, Advocate

For the Opposite Party : Smt. Renu Kumari, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-03-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Madhepura P.S. Case No. 336 of 2016 for the offences
instituted under Sections 25(1-b)a and 35 of the Arms Act.

The allegation against the petitioner is that he along
with other co-accused was involved in running a Mini Gun
Factory at their house.

It has been submitted on behalf of the petitioner that the
petitioner has falsely been implicated in the present case. There is
no allegation of tampering of witnesses alleged against the
petitioner. The petitioner is not named in the F.I.R. His name has
come in course of investigation. There is no other substantive



evidence to suggest his implication in the present case.

On behalf of the State, it has been submitted that the petitioner and other co-accused are running a mini gun factory and there is one more criminal case pending against the petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to extend the privilege of anticipatory bail to the petitioner. The same is rejected in connection with Madhepura P.S. Case No. 336 of 2016, pending in the court of learned C.J.M., Madhepura.

Anyhow if the petitioner surrenders in the court below within a period of six weeks from today, the same shall be considered on its own merit without being prejudiced by this order, preferably on the same day.

(Sudhir Singh, J)

Amit/-

U		T	
---	--	---	--

