

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23402 of 2018

Arising Out of PS.Case No. -407 Year- 2017 Thana -ALOULI District- KHAGARIA

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1. Lakshman Yadav Son of Suresh Yadav Resident of Village - Raun, P.S. -
Alauli, District - Khagaria. Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Chandra

For the Opposite Party/s : Mr. Sri Umeshnand Pandit

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 19-04-2018 Heard learned Counsel for the petitioner and the State.

Petitioner, already in custody since 13.12.2017, seeks bail in
Alauli PS Case No. 407 of 2017 registered under Sections 398, 414
of the IPC and Sections 25(1-b)a, 26, 35 and 27 of the Arms Act.

The allegation in brief is that some criminals were
committing theft of pumping set in the midnight, informant woke up,
raised alarm and miscreants started firing however the petitioner was
caught with fire arm and two other miscreants were badly assaulted
by the villagers as a result of which they succumbed to the injuries.

Learned Counsel for the petitioner submits that the petitioner
was not apprehended by the police rather fire arms were produced by
the villagers.

Whereas learned Counsel for the State submits that the
petitioner was caught red handed on the spot while retreating after
making attempt of dacoity and was also found in possession of fire
arms and he has also criminal antecedent.

Having considered the aforesaid facts and circumstances, the
prayer for bail of the petitioner is presently rejected.

The trial court is directed to expedite the trial and conclude
the same preferably within a year, if the trial does not conclude the
petitioner may renew the prayer for bail.

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(Arun Kumar, J)

