

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50066 of 2018

Arising Out of PS. Case No.-305 Year-2017 Thana- ATRI District- Gaya

Sadhu Yadav @ Sadhu Saran Yadav, Son of Kishun Yadav, Resident of
Village - Chakra, Police Station - Atri and District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 06-12-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 399, 402, 414 of the Indian Penal Code and Section 25(1-b)a/26/35 of the Arms Act.

According to FIR, the police apprehended two persons and others fled away. The police suspected that they were planning to commit dacoity. From their possession, firearm was recovered. They disclosed name of the co-culprit including the petitioner. Thereafter, the police raided the house of petitioner and others. From the house of petitioner, a country made pistol in loaded condition was recovered.

Submission of the learned counsel for the petitioner is that petitioner has got no criminal antecedent. The same set of



witnesses of seizure are there all along during raid which continued for twelve hours at different places. The same creates doubt on the veracity of the police. In fact, everything was recovered on one place and just to falsely implicate, the recovery has been shown from different places including the house of the petitioner.

Considering the available material, this is not a fit case for grant of anticipatory bail in connection with Atri Police Station Case No. 305 of 2017 pending in the court of learned 1st Additional Chief Judicial Magistrate, Gaya.

Hence, prayer for anticipatory bail is refused.

(Birendra Kumar, J)

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