

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21394 of 2018

Arising Out of PS.Case No. -376 Year- 2011 Thana -BARACHATTI District- GAYA

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BHIM YADAV @ HARI MOHAN JI @ LILHA @ PAHADI FUL son of
Khemman Yadav, Resident of Village-Mainka. P.S. Imamganj, Dist.-Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. S. Jamil Akhtar

For the Opposite Party/s : Mr. Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 28-06-2018 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Barachatti P.S. Case No. 376 of 2011 registered for the offences
under Sections 147, 148, 149, 25(1-b), 26 and 35 of the Arms Act
and Section 17 of the C.L.A. Act.

The allegation is that the informant got information that
30-35 miscreants are gathering towards east of Hirua Pahadi,
whereafter the informant along with the Police officials went to
the said place and then the miscreants fled away but one of the
miscreants was caught and upon search arms etc. were recovered.

The learned counsel for the petitioner submits that there
is no evidence whatsoever or allegation whatsoever as against the
petitioner herein in the FIR, hence the petitioner should be granted



the privilege of bail. It is further the submission of the petitioner that after being remanded in judicial custody, the petitioner has been remanded in other cases.

I have perused the case diary and find that not only there is ample evidence against the petitioner but the fact is that the petitioner is a veteran criminal inasmuch as 12 cases are pending against the petitioner which pertain to heinous crime, hence, it would not be in the interest of justice to enlarge such a person on regular bail. Reference in this connection be had to a judgment of the Hon'ble Apex Court reported in **(2012) 9 SCC 446 (Ash Mohammad vs. Shiv Raj Singh & Anr)**.

Having regard to the facts and circumstances of the case, I do not find any merit in the present petition. Accordingly, the same is rejected.

(Mohit Kumar Shah, J)

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