

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13280 of 2019

Arising Out of PS. Case No.-63 Year-2018 Thana- BELDOUR District- Khagaria

LALKUN YADAV Son of Nago Yadav Resident of Village - Bandehra, P.S.-
Pasraha, District - Khagaria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 05-03-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Beldaur P.S. Case No. 63 of 2018 for the offence under Sections 25(1-b)(a), 26 and 35 of the Arms Act.

Though learned counsel for the petitioner has submitted that the petitioner's name has surfaced only on the basis of confessional statement of the co-accused, I am not inclined to entertain this application in view of the fact that based on said confessional statement, there is allegation of recovery of illegal arms.

Learned counsel for the petitioner has also submitted that the said recovery cannot connect the petitioner since the recovery is from in front of the petitioner's *Basa* as alleged in the First Information Report.



However, considering the nature of allegation emerging from the statement of the co-accused, in my view, case for grant of anticipatory bail is not made out. This application is accordingly dismissed.

The petitioner is directed to surrender before the Court below within a period of four weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered by the learned Court below on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

(Chakradhari Sharan Singh, J)

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