

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21301 of 2019

Arising Out of PS. Case No.-622 Year-2018 Thana- SAUR BAZAR District- Saharsa

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Fulen Yadav, aged about 49 years, Male, Son of Sikandar Yadav, Resident of Village - Pipra Ward No.1, P.S.- Sour Bazar, (Pattarghat O.P.), Distt.- Saharsa.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Shiva Shankar Sharma

For the Opposite Party/s : Mr.Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 05-04-2019 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Sour Bazar P.S. Case No. 622 of 2018, registered for the offence under Sections 25(1-b)A and 26 of the Arms Act.

The Police has received information of presence of Kanhaiya Yadav, who is a veteran criminal. The Police has reached his house, did not find any incriminating materials. Upon seeing the Police party, one person got down from a *Machan* and fled away. It has also been alleged that Chaukidar has identified this petitioner in the light of the torch, thereafter the said *Machan* was searched, from there the arms were recovered.



Learned counsel for the petitioner submits that the F.I.R. has been registered after a long delay, itself shows that the story which has been mentioned in the F.I.R. is completely incorrect.

Looking to the nature of allegation, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail is rejected. However, if the petitioner surrenders before the Court below within three weeks from today and prays for regular bail, the Court below will consider the same and pass appropriate order without being influenced by the order of this Court.

(Shivaji Pandey, J)

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