

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28204 of 2019

Arising Out of PS. Case No.-19 Year-2019 Thana- DANIYAWAN District- Patna

JAYPAL YADAV @ JAYPAL KUMAR Son of Late Nagina Gope @ Nagina
Singh, Resident of Village - Teka Bigha, P.S.- Daniyawar, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 30-04-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Daniyawar P.S. Case No. 19 of 2019
registered for offence punishable under sections 25(1-b)a, 26,
35 of the Arms Act.

Allegation has been made that the police party
searched the house of the petitioner and from there, a country-
made pistol and two live cartridges have been recovered and
the petitioner has fled away from there after seeing the police
party.

The learned counsel for the petitioner submits that
the name of the petitioner does not figure in the accused
column, inasmuch as there is no signature of family members



on the seizure list, but from reading of FIR it appears that there is specific allegation has been made that from the house of petitioner, recovery of arms has been made and the petitioner after seeing the police personnel, fled away from there.

Looking to the facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner and accordingly his prayer for bail is rejected. However, if the petitioner surrenders and prays for regular bail, the court below without being prejudiced by the order of this Court, will take decision in accordance with law.

(Shivaji Pandey, J)

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