

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30845 of 2019**

Arising Out of PS. Case No.-13 Year-2019 Thana- DANAPUR District-
Patna

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JAI PRAKASH YADAV @ J.P @ J.P. YADAV @ JAI PRAKASH RAI, aged about
30 years, male, Son of Ramji Rai Resident of Mohalla- Tarachak Ward
No.8, P.S.- Danapur, District- Patna.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Arvind Kumar Mouar, Advocate.

For the Opposite Party: Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 14-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 25(1-B) a, 26 and 35 of the Arms Act
registered in connection with Danapur P.S. Case No. 13 of 2019.

3. It is submitted that the petitioner has been falsely
implicated merely on the extra judicial confessional statement of
co-accused Rahul Kumar, except which there is no other objective
material to connect the petitioner with the alleged occurrence.
The recovery of the arms has been made from near the
motorcycle of the petitioner but the motorcycle has not been
seized. The seizure list discloses that the motorcycle of the said
co-accused Rahul Kumar was seized and recovery of one loaded



country made pistol, three live cartridges were made from him.

4. Having regard to the nature of accusations, gravity of the offence alleged as well as the criminal antecedents of the petitioner involving serious offences, as well as recovery of the arms from near the petitioner's motorcycle and also taking note of the observations in the order of the learned Additional Sessions Judge that some of the witnesses mentioned in paragraphs 7 and 11 of the case diary has supported the prosecution case, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

(Vikash Jain, J)

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