

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48322 of 2019

Arising Out of PS. Case No.-413 Year-2018 Thana- MUNGER MUFFASIL District- Munger

VEDANAND YADAV Son of Late Sukhdev Yadav Resident of Village-
Taufir, Karari Tola, P.S.- Muffasil, District- Munger.

... .. Petitioner/s

Versus

THE SATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

6 11-12-2019 Heard learned counsel for the parties.

This application for regular bail arises out of Muffasil
P.S. Case No. 413 of 2018, disclosing the offence under
Sections 121, 379, 414, 120-B/34 of the Indian Penal Code and
Sections 25(1-A) A/25(1-AA), 25(1-B)A/26/35 of the Arms Act.

Learned counsel appearing on behalf of the petitioner
has submitted that nothing has been recovered from his
possession and his implication is based on confessional
statement of co-accused Rizwan and Narad Yadav. He has
submitted that the only allegation against the petitioner is of
having acted as a mediator to facilitate illegal purchase of AK-
47 rifle.

Learned Additional Public Prosecutor appearing for
the State has drawn my attention to the statement of the co-
accused Narad Yadav recorded under Section 161 of the Cr.P.C.



in paragraph 21 of the case diary that the petitioner's involvement in illegal arms trafficking is direct and he has played an important rather pro-active role in the entire transaction. The confessional statement of the said co-accused Narad Yadav has led to recovery of an AK-47 rifle.

Learned counsel for the petitioner has also submitted that similarly circumstanced co-accused persons have been allowed bail by this Court by order dated 06.08.2019, passed in Cr. Misc. No. 32435 of 2019. Further co-accused Dharambir Kumar, a Police Constable, has been allowed regular bail by the learned Additional Sessions Judge-I, Munger in BA No. 191 of 2019.

I have perused the order of this Court dated 06.08.2019 whereby co-accused Bhaidai Yadav has been allowed regular bail. Evincibly, the case diary of the case was not available before this Court, while allowing regular bail to Bhaidai Yadav. After having noticed the materials in the case diary collected in course of investigation, I am not inclined to grant the petitioner privilege of regular bail at this stage.

This application is accordingly rejected.

I have perused the report of learned Chief Judicial Magistrate, Munger in respect of the status of trial arising out of



said Muffasil P.S. Case No. 413 of 2018 from which it transpires that the records have been transferred to the court of learned Judicial Magistrate-Ist, Munger.

Let the trial of the case be expedited. If there is no substantial progress in trial, the petitioner shall have the liberty to renew his prayer for bail after six months. It appears from the order of learned Additional Sessions Judge that sanction for prosecution under the Arms Act was not accorded till the date when the order refusing bail was passed by learned Additional Sessions Judge on 10.04.2019. The District Magistrate, Munger will be obliged to look into this aspect of the matter so as to expedite conclusion of trial.

Considering the nature of case, it is directed that the District Magistrate and Superintendent of Police, Munger shall ensure that all steps are taken for expeditious conclusion of the trial.

Let this order be communicated to the District Magistrate and Superintendent of Police, Munger, forthwith.

(Chakradhari Sharan Singh, J)

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