

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48162 of 2019**

Arising Out of PS. Case No.-237 Year-2019 Thana- HARNAUT District- Nalanda

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SUNIL YADAV @ SUNIL KUMAR Son of Lattan Yadav Resident of Village
- Musahari, P.S.- (Chero O.P.) Harnaut, Distt - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Upendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 02-08-2019 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 25(1-B)a and 26 of the Arms Act.

It is alleged that from the store room of the Dhaba of the petitioner, one loaded country made pistol was recovered.

It is submitted by learned counsel for the petitioner that the alleged Dhaba was run by the staff and the petitioner was not present when seizure was made, hence, recovery cannot be treated from the conscious physical possession of the petitioner.

Considering the fact that recovery has been made from the Dhaba of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.



However, learned Court below may consider the prayer for regular bail of the petitioner if he surrenders within a period of six weeks in connection with Harnaut P.S. Case No. 237 of 2019, pending in the Court of learned Chief Judicial Magistrate, Nalanda at Biharsharif.

Accordingly, the present application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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