

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67987 of 2019

Arising Out of PS. Case No.-97 Year-2019 Thana- SONO District- Jamui

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BHUTKA YADAV @ KISHORE YADAV Son of Late Gopi Yadav Resident
of Village - Dahiyari, P.S.- Sono, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha
For the Opposite Party/s : Mr.Ram Sumiran Rai

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 25-10-2019 This application, for grant of anticipatory bail,

arises out of Sono P.S. Case No. 97/2019, disclosing offences

under Sections 25(1-B)a/26/35 of the Arms Act and Section

399/402/34 of the Indian Penal Code.

Allegation as per F.I.R is that there was recovery of

country made pistol and cartridge from co-accused, who

disclosed the name of petitioner as his associate. Apart from that

it appears that he is accused in two more cases and both are

under Section 395 of the Indian Penal Code.

Submission of learned counsel for the petitioner is

that those cases are of the year 2011 and in those cases, the

petitioner has already been granted bail and in this case, he has

falsely been implicated in this case and other co-accused having

similar allegation has been granted the privilege of anticipatory



bail vide order dated 09.08.2019 passed in Cr. Misc. No. 49732 of 2019 and further nothing has been recovered from the possession of the petitioner.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather this application is disposed of with direction to the petitioner to surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the basis of materials available on record and also after considering the fact that other co-accused having similar allegation has been granted the privilege of anticipatory bail by this Court, if possible on same day, without being prejudiced by this order.

(Vinod Kumar Sinha, J)

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