

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21336 of 2020**

Arising Out of PS. Case No.-307 Year-2019 Thana- KARAHGAR District- Rohtas

SAHEB YADAV @ OM PRAKASH @ SAHEB @ OM PRAKASH YADAV
S/o Kailash Yadav Resident of Village- Trilokpur, P.S.- Karaghar, District-
Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Anand

For the Opposite Party/s : Mr.Pranav Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 02-07-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Shri Pranav Kumar, the learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with Karaghar P.S. Case No. 307 of 2019 for the offence punishable under Sections 353, 307, 401, 414/34 of the Indian Penal Code and Sections 25(1AA) (1-B), 26, 35, 27 of the Arms Act.

The case of the prosecution is that when the co-accused person namely Chhotu @ Luxman Singh was apprehended, arms and ammunition were recovered from his



possession and upon interrogation, the said co-accused namely Chhoto @ Luxman Singh, in his confessional statement, is stated to have named the petitioner as his associate in the crime committed by him.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 17.01.2020. It is further submitted that only because the petitioner is an accused in some other cases, he has been falsely roped in the present case with malafide intention. Lastly, it is submitted that no recovery of arms or ammunition have been made from the conscious possession of the petitioner herein and no specific allegation of him having participated in any sort of crime has been levelled against him.

The learned A.P.P. appearing for the State has vehemently opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the fact that neither any illegal arms or ammunition have been recovered from the petitioner nor the petitioner has been alleged to have committed any particular crime, I deem it fit and proper to direct



for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Rohtas at Sasaram in connection with Karaghar P.S. Case No. 307 of 2019.

(Mohit Kumar Shah, J)

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