

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.14420 of 2021**

Arising Out of PS. Case No.-217 Year-2019 Thana- BARHARA KOTHI District- Purnia

VINOD YADAV Son of Brahmdeo Yadav Resident of Village- Pakilpar, P.S.-
Bihariganj, District- Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Umanath Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 17-06-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail

in connection with Barhara P.S. Case No. 217/2019 registered

for the offences punishable under Section 25(1-b)a/26 of the

Arms Act.

As per prosecution story, while the informant and

police party were on patrolling duty then miscreant was caught

by police on chase and on search of the petitioner one loaded

country made pistol from his left side of waist and a loaded

Sixer from the right waist, 18 live cartridges of .315 bore and 15



live cartridges of Sixer, total 40 live cartridges as well as some cash, mobile were recovered.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case, wherein this court has noticed that the petitioner was arrested with one loaded country made pistol and a loaded Sixer as also 18 live cartridges of .315 bore and 15 live cartridges of Sixer, the total being 40 live cartridges and that the Dy.S.P. (Reserve) has examined the fire-arms and ammunitions and found them effective except four cartridges which were misfired and further fact that the petitioner has got criminal antecedents of three cases out of whom two are for the offences under section 302 of the I.P.C., though learned counsel for the petitioner submits that in those two cases petitioner has been granted bail, considering the totality of the facts and circumstances of the case, the fire-arms of the deadly nature and huge ammunitions in form of live cartridges recovered from possession of the petitioner, this Court is of the considered opinion that the petitioner does not deserve privilege of bail.

Prayer for regular bail of the petitioner is, thus, refused.



Learned counsel for the petitioner submits that the petitioner is in custody since 11.10.2019, considering this fact this Court expects that the learned trial court shall expedite the trial and all endeavours be made to proceed with the same and conclude the trial as early as possible.

This application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

