

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.7108 of 2021**

Arising Out of PS. Case No.-237 Year-2020 Thana- KAUWAKOL District- Nawada

ADHIK YADAV S/O SRI CHUNARIK YADAV Resident of Mohalla - Eslam
Nagar, P.S. - Chandardip, District – Jamui. Petitioner
Versus

THE STATE OF BIHAR Opposite Party

Appearance :

For the Petitioner/s : Mr.Arvind Prasad Singh,Advocate
For the Opposite Party/s : Mr.Uma Shankar Prasad Singh,APP

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

2 27-04-2021 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner in the present case is seeking regular bail in connection with Kawakol P.S. Case No. 237 of 2020 registered for the offences punishable under Sections 399/402 of the Indian Penal Code and 25(1-b)a/26/35 of Arms Act.

Learned counsel for the petitioner submits that as per the prosecution story, on receiving secret information that some criminals have assembled near Shiv Temple Morambag Hill on 24.07.2020 at 22.05 the informant arrived there on 22.30. It is further alleged that on the spot four persons were caught hold who disclosed their names as Raku @ Rakesh Yadav, Chandan Kumar, Sonu Kumar @ Chando and Adhik Yadav. On search one loaded pistol with seven cartridges was recovered from the possession of Chandan Kumar, one knife was recovered from the possession of Sonu Kumar @ Chando and one loaded country made pistol (katta) with seven live cartridges was recovered from the possession of Adhik Yadav.



Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that no arms and ammunition has been recovered from the possession of the petitioner.

Learned APP 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 a loaded country made katta and seven cartridges even though it is the submission of learned counsel that the petitioner had remained in jail for approximately nine months, this Court is not inclined to grant bail to the petitioner for two reasons firstly that the recovery of seven cartridges with loaded country-made katta is something which is indicating about the petitioner being involved in some sort of professional crime and secondly for the reason that this petitioner has got criminal antecedent including a case under Section 302 IPC and in the four cases on his head while being on bail he is getting involved in yet another case. Prayer for the regular bail of the petitioner is, thus, refused.

Let the trial be expedited.

The application stands disposed of.

(Rajeev Ranjan Prasad, J)

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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'.

