

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.10158 of 2021**

Arising Out of PS. Case No.-352 Year-2020 Thana- DUMRAO District- Buxar

BARAK YADAV @ BADA K YADAV SON OF-SRI BHAGWAN YADAV  
RESIDENT OF VILLAGE-APKARI GALI, DUMRAON, WARD NO.14, PS-  
DUMRAON, DIS- BUXAR ... .. Petitioner/s

Versus

THE STATE OF BIHAR ... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Satyapal Singh, Advocate  
For the Opposite Party/s : Dr. Ajit Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY  
ORAL ORDER**

2. 15-6-2021 Heard learned counsel for the petitioner and learned APP for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Dumrao P.S. Case No.352 of 2020 registered under sections 25(1-B)(a) and 26 of the Arms Act and section 30(a) of the Bihar Prohibition and Excise Act 2016.

As per allegation in the FIR, on a raid being conducted, it is stated that in presence of the petitioner, a country made rifle, a katta, three live cartridges and 7.2 litres of liquor was recovered.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the person or house of the petitioner who has been falsely implicated in the case because of his antecedent. He is in custody since 5.10.2020 and investigation in the case has concluded.



The application for bail is opposed by learned APP for the State who submits that besides the articles being seized from the house of the petitioner in his presence, the petitioner has an antecedent under the Bihar Prohibition and Excise Act.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is not inclined to enlarge the petitioner on bail and the same is rejected.

However, liberty is granted to the petitioner to renew his prayer for bail on completing one year in custody.

**(Partha Sarthy, J)**

Prakash /-

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