

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17584 of 2021

Arising Out of PS. Case No.-147 Year-2020 Thana- ROSHANGANJ District- Gaya

1. ARJUN YADAV LATE DULLI CHAND YADAV VILLAGE BIHARGAYA TOLA, NAINAGARH, P.S ROSHANGANJ, DISTT.- GAYA
2. SALLU YADAV @ AJAY KUMAR SON OF ARJUN YADAV RESIDENT OF VILLAGE- BIHARGAYA TOLA, NAINAGARH, P.S.- ROSHANGANJ, DISTT.- GAYA.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. S. Jamil Akhtar, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 07-01-2022 Heard Mr. S. Jamil Akhtar, learned Advocate for the petitioners and the learned APP for the State.

Mr. Akhtar seeks permission to withdraw the application with respect to petitioner no. 2(Sallu Yadav @ Ajay Kumar), who has been arrested during the pendency of this petition.

The application with respect to petitioner no. 2 is dismissed as having become infructuous.

The petitioner no. 1 seeks bail in anticipation of his arrest in connection with Roshanganj P.S. Case No. 147 of 2020 dated 16.10.2020 instituted for the offences under Sections 414/34 of the Indian Penal Code and Sections, 25(1-B) (a) 26, 35 of the Arms Act.



40 litres of Mahua and 3 country made pistols and one country made rifle is said to have been recovered from the ransacked house of the petitioner.

Learned counsel for the petitioner has submitted that he is handicapped by 40% and the house from where recovery has been made is not being used by the petitioner for residing.

But regard being had to the recovery, I am not inclined to grant anticipatory bail to the petitioner no. 1.

Accordingly, the prayer for anticipatory bail of the petitioner no. 1 is rejected.

The grounds urged here may be pressed for grant of regular bail, should the petitioner surrender before the court below.

(Ashutosh Kumar, J)

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