

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38163 of 2021

Arising Out of PS. Case No.-196 Year-2020 Thana- DANIYAWAN District- Patna

RABINDRA YADAV S/o Lalmuni Singh R/o village- Nimi, P.S.- Daniyawar,
District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-01-2022 Heard Mr. N.K. Agrawal learned senior counsel for
the petitioner and Mr. Amit Kumar Rakesh, Additional Public
Prosecutor for the State through video conferencing.

Petitioner seeks regular bail in connection with
Daniyawar PS Case No. 196/2020 registered for the offence
punishable under Section 25(1-b)a, 26 of the Arms Act.

As per First Information Report, the police, during
course of investigation of Daniyawar PS Case No. 194/2020
and 195/2020 arrived at the house of petitioner and recovered a
country made rifle from the husk room of the petitioner.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case inasmuch as
there is a case and counter case between the side of petitioner
and the informant bearing Daniyawar PS Case No. 194/2020



under Sections 147, 148, 149, 341, 323, 307, 426, 379, 504, 506 IPC and Section 27 of the Arms Act wherein petitioner has been granted anticipatory bail by the court below itself. Learned counsel further submits that the rifle has not been recovered from the conscious possession of the petitioner and the same has been recovered from the husk room which is situated outside the house of the petitioner.

Learned counsel next submits that petitioner has got no antecedent of similar nature of offence and he has been granted anticipatory bail by the court below itself in Daniyawan PS Case No. 194/2020 and regular bail in Daniyawan PS Case No. 53/2020. Petitioner is in custody since 10.04.2021 and the charge-sheet, in the matter, has been submitted.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is in custody since 10.04.2021, charge-sheet, in the matter, has been submitted, the trial is not likely to be concluded in near future due to pandemic, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, RABINDRA YADAV be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to



the satisfaction of Smt. Payal Single, learned Judicial Magistrate, Patna City, Patna/ the court concerned in connection with Daniyawan PS Case No. 196/2020.

(Anil Kumar Sinha, J)

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