

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50945 of 2021

Arising Out of PS. Case No.-133 Year-2021 Thana- ITARHI District- Buxar

VIKKU KUMAR YADAV Son of Sri Kanhaiya Yadav @ Kanhaiya Yadav
Resident of Village- Mathura Dera Chakki, P.S.- Chakki (O.P.), District-
Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Setu Prateek

For the Opposite Party/s: Ms.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 01-04-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Itarhi Police Station Case No. 133 of 2021, registered for the
offences punishable under Sections 25 (1-B)a/26/35 of the Arms
Act.

The prosecution case, as per the First Information
Report, is that one country-made pistol, along with three live
cartridges, have been recovered from the possession of the
petitioner.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case and from
perusal of the First Information Report, it would be evident that



on two motorcycles, five persons were going and out of them, four succeeded in fleeing away and the petitioner has been arrested, which is highly improbable and the witnesses in the seizure list are not independent witnesses and only the police personnels are the seizure list witnesses.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the petitioner is having criminal antecedent inasmuch as six cases are pending against him, as stated in paragraph 3 of this application, I am not inclined to grant regular bail to the petitioner, at this stage.

This application is, accordingly, dismissed.

However, the petitioner may renew his prayer for bail after six months from today, if the trial does not record any progress.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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