

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.56546 of 2021**

Arising Out of PS. Case No.-195 Year-2021 Thana- BELHAR District- Banka

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1. VIKASH YADAV, Son of Prakash Yadav, Resident of Village - Amgarwa, P.S. Belhar, District - Banka.
  2. Purushottam Kumar, Son of Prakash Yadav, Resident of Village - Amgarwa, P.S. Belhar, District - Banka.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr.Brij Nandad Prasad, Advocate  
For the Opposite Party/s : Mr.Harendra Prasad, A.P.P.

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

2      06-04-2022      Learned counsel for the petitioners undertakes to remove all the defects as pointed out by office within two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioners and Mr. Harendra Prasad, learned A.P.P. for the State.

Petitioners in the present case are seeking regular bail in connection with Belhar P.S. Cae No. 195 of 2021 registered for the offences punishable under Sections 25(1-b)a/26/35 of the Arms Act. They are in custody since 15.06.2021. The petitioner has got two criminal antecedents.

Learned counsel for the petitioners submits that as per the prosecution story, the informant got secret information regarding smuggling of arms on a big scale by the petitioners. The informant raided the given place and apprehended the petitioners and



recovered four arms and three cartridges in a box from the Bathan.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is submitted that the petitioners are in custody in connection with this case since 15.06.2021.

Learned counsel submits that nothing has been recovered from conscious possession of the petitioners and the Bathan from where the recovery is said to have been made is not a residential house.

Mr. Suman Kumar Singh, learned APP for the State is present and has opposed the prayer for regular bail of the petitioners.

Having regard to the materials present in the F.I.R. showing that several arms and live cartridges have been recovered from the Bathan of the petitioners and the petitioners have got criminal antecedent as indicated in paragraph '3', this Court is not inclined to release the petitioners on bail at this stage. Prayer for bail is, thus, refused.

Let the trial be expedited.

**(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'.

