

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68367 of 2019

Arising Out of PS. Case No.-265 Year-2017 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. Sri Lal Yadav @ Sri Yadav S/o- late Ladu Lal Yadav R/o- Vill.- Suja (Shanti Nagar), P.S.- Muffasil, Dist.- Begusarai.
 2. Balram Yadav @ Valaram Yadav S/O- Late Ladu Lal Yadav R/o- Vill.- Suja (Shanti Nagar), P.S.- Muffasil, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 20-06-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend their arrest in Begusarai
Muffasil P.S. Case No.265 of 2017, registered for the offences
punishable under Sections 25(1-b)a/26/35 of the Arms Act.

On 17.06.2017, the police got information that
petitioners and other co-accused persons armed with arms and
ammunition are trying to supply the liquor to the selected place.
The police raided the place but the petitioners fled away from
the place of occurrence.

Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in the



present case. It is further submitted that after investigation the police submitted final form against the petitioners and other co-accused persons but the learned court below took cognizance on the basis of sanction given by the District Magistrate in Arms Act. It is submitted that the petitioners have got one criminal antecedent. It is also submitted that there is nothing on record to show the involvement of the petitioners in the alleged offence.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail.

However, if petitioners surrender before the learned court below within a period of six weeks from today and pray for regular bail, the learned court below shall consider the prayer for regular bail of the petitioners preferably on the same day without being prejudiced by this order taking into consideration the fact that the police has submitted final form against the petitioners.

Accordingly, this application is disposed of.

(Anjani Kumar Sharan, J.)

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