

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19896 of 2023

Arising Out of PS. Case No.-286 Year-2022 Thana- CHAUTHAM District- Khagaria

Arun Yadav Son Of Kripal Yadav Resident Of Village - Sonvarsha, P.S. -
Choutham, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 27-06-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 25(1-b)a, 26 of the Arms Act.

As per FIR, one country made pistol and four live cartridges were recovered from the Basa of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the raiding party member are seizure list witnesses and no independent witnesses have made signature on seizure list, therefore, there is violation of Section 100 of the Cr.P.C. He further submits that petitioner has two criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for



bail and submits the witnesses have supported the prosecution case as stated in para-4 and 5 of the case diary.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Chautham P.S. Case No. 286 of 2022.

However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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