

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49318 of 2023

Arising Out of PS. Case No.-60 Year-2023 Thana- BHAWANIPUR District- Purnia

LALU YADAV Son of Resho Yadav Resident of Adarsh Nagar Phulkia, P.S.-
Ghogha, District-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Bhawanipur (Akabarpur OP) P.S. Case No. 60 of 2023 instituted for the offence under Sections 25(1-b)a, 26/35 of the Arms Act.

3. As per allegation in the FIR, the petitioner is alleged to have apprehended on spot while he along with one co-accused was going on motorcycle. From possession of petitioner, four loaded country made pistols, twelve live cartridges, one mobile phone and other articles were recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has falsely been implicated in this case. The petitioner has no concern with



the alleged recover of arms & ammunition. It is further submitted that the seizure list witness are police officials not a single independent witness which violates section 100 of Cr.P.C. Moreover, the petitioner is languishing in judicial custody since 14.3.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner was apprehended on spot from whose possession four loaded country made pistols along with twelve live cartridges were recovered. It is further submitted that the petitioner is indulged in preparation of arms. He has also got one criminal antecedent.

6. Having heard the learned counsel for the parties and considering huge arms & ammunition from possession of the petitioner, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to expedite the trial and conclude the same at the earliest.

(Sunil Kumar Panwar, J)

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