

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59160 of 2023

Arising Out of PS. Case No.-78 Year-2022 Thana- PAUTHU District- Aurangabad

Ramadhar Yadav @ Ramadhar Singh Son Of Late Dudheshwar Yadav R/O
Vill - Dal Bigha, P.S. - Pauthu, Distt. - Aurangabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr.Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-10-2023 Heard Mr.Bhaskar Shankar, learned counsel for the

petitioner and Mr.Rajiv Nayan, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Pauthu P.S. Case No.78 of 2022, FIR dated 12.07.2022 registered for the offences punishable under Sections 25(1-b), 26 of Arms Act.

3. On search of room of the petitioner, a country made rifle and two live cartridges were recovered from heap of straw.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. Further submits that from a bare perusal of the FIR it appears that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from the straw



house of the petitioner and petitioner has no concern at all with the alleged recovery.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that from a bare perusal of the FIR as well as the seizure list that one country made rifle and two live cartridges were recovered from the beneath of straw house/ from the house of the petitioner and apart from the aforesaid, the petitioner carries two more cases other than the present one but fairly submits that the petitioner is on bail in both the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts and the recovery has been made from the house of the petitioner, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Pauthu P.S. Case No.78 of 2022 pending in the court of learned Chief Judicial Magistrate, Aurangabad.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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