

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48353 of 2024

Arising Out of PS. Case No.-510 Year-2022 Thana- PHULPARAS District- Madhubani

Jawahar Yadav son of Kesho Yadav Village- Siswabarhi, Ps- Phulparas, Dist-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Bharti, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 20-07-2024 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in connection with Phulparas P.S Case No. 510 of 2022 registered for the offence under Sections 25(1-b)a, 26, 35, 27 of the Arms Act.

3. As per the prosecution case, on 29.10.2022 at about 7 P.M., this petitioner and F.I.R. named accused persons armed with pistol made indiscriminate firing and fled away. A country-made pistol also recovered from the place of occurrence.

4. It is submitted on behalf of the petitioner that only allegation of indiscriminate firing and no one sustained any injury and they have been made accused on the basis on only suspicion and on account of previous land dispute.

5. Learned A.P.P. for the State has vehemently



opposed the bail petition and submits that the petitioner is named in the F.I.R. and petitioner with the help of other accused persons made indiscriminate firing and one countrymade pistol has been recovered from the place of occurrence. It is also submitted that the petitioner has three criminal antecedents as stated in para 3 of the bail petition. Further, the anticipatory bail of two co-accused has been rejected by the Co-ordinate Bench of this Court in Cr. Misc. No. 81037 of 2023.

6. Considering the aforesaid facts and circumstances and the fact that that the petitioners have four criminal antecedent, I am not inclined to grant bail to the petitioners. Therefore, the prayer for anticipatory bail of the petitioners is dismissed.

7. However, if the petitioner would surrender before the trial Court within a period of 15 days from the date of receipt of a copy of this order, then the learned trial Court shall consider the prayer for bail of this petitioner on the same day without being prejudice by this order.

(Ramesh Chand Malviya, J)

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