

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57174 of 2024**

Arising Out of PS. Case No.-92 Year-2024 Thana- PIPRA District- East Champaran

Ram Vishwas Yadav S/O Late Sipahi Yadav R/O Village-Bherakhiya,PS-
Pipra, Distt-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvesh Kashyap, Advocate
For the Opposite Party/s : Mr.Amitesh Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 09-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Pipra P.S. Case No. 92 of 2024 instituted for the offences
under Sections 399, 402, 413, 414 of the Indian Penal Code and
Sections 25(1-b)a, 26, 35 of the Arms Act.

3. Prosecution case, in short, is that, police, on the
basis of secret information reached at the place of occurrence.
Seeing the police the accused persons tried to flee away but
three of them were apprehended whereas other accused persons
managed to flee away. The apprehended persons disclosed the



name of persons who fled away from the spot.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner rather the recovery of arms and ammunitions has been attributed to the co-accused persons who were apprehended at the spot. Learned counsel further submitted that petitioner has got no concern with the recovered arms and ammunitions. It has been submitted on behalf of the petitioner that the petitioner has four criminal antecedents. There is no compliance of Section 100 of the Cr.P.C. The co-accused person has already been granted regular bail by this Bench vide order dated 19.06.2024 passed in Cr. Misc. No. 41784 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, as well as taking into account the criminal antecedents of the petitioner as mentioned in paragraph no. 3 of the present application, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of bail of the



petitioner is, hereby, rejected. However, petitioner is given liberty to surrender before the learned Court below and pray for regular bail. If any such application is filed, the learned Court below shall consider and dispose of the same without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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