

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77618 of 2023

Arising Out of PS. Case No.-124 Year-2023 Thana- BASANHI District- Saharsa

Mukesh Yadav @ Mukko Yadav Son of Ganesh Yadav R/O Village- Arsi,
Ward No.9, P.S.- Sonbarsa, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

Mr.Suraj Kumar

For the Opposite Party/s : Mr.Nand Kishore Pd.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 24-01-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Basnahi P.S. Case 124/2023, registered for the offence punishable
under Sections 25(1-B) (a) 26, 35 of the Arms Act and Sections
30(a), and 41 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there was alleged
recovery of one country made pistol as well as three live cartridges
from the possession of the petitioner and he apprehended on the
spot.

4. Learned counsel for the petitioner submits that
petitioner is quite innocent and has committed no offence as
alleged in the FIR. Only allegation levelled against the petitioner is
that one country made pistol along with three live cartridges was
recovered. The petitioner is languishing in custody since



20.07.2023 and bears criminal antecedent of 11 cases. Nothing has been recovered from the conscious possession of the petitioner.

5. The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner and submits that petitioner bears criminal antecedent of eleven cases out of which three cases are of similar nature and he does not deserve bail.

6. Considering the facts and circumstances of the case, petitioner having criminal antecedent of three cases of similar nature as well as nature of allegation levelled against the petitioner and material available on record, I am not inclined to grant bail to the petitioner. Hence, prayer for bail of the petitioner stands rejected.

7. However, the trial court is directed to expedite the trial and conclude the same within six months from the date of receipt / production of copy of this order, the petitioner may renew his prayer for bail.

(Alok Kumar Pandey, J)

amitkumar/-

U		T	
---	--	---	--

