

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34171 of 2025

Arising Out of PS. Case No.-39 Year-2025 Thana- CHAKAND District- Gaya

Awadhesh Yadav S/o Harihar Yadav R/o vill - Bansi Bigha, P.S.- Belaganj,
Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-06-2025 Learned Counsel for the petitioner and Learned APP
for the State are present.

2. The present criminal miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of regular bail to the petitioner who is in custody in connection with Chakand P.S. Case No. 39 of 2025, lodged on 29.01.2025, under Sections 318(4), 338, 336(3), 340(2) of the B.N.S., 2023 and Section 25(1-b)a, 26 of the Arms Act.

3. As per the prosecution, allegation against the petitioner is that petitioner was found in possession of an arms with fake license, which he himself confessed in the FIR.

4. Learned Counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel also submits that petitioner is the sole bread earner of the family and only with a view to earn money he has accepted the work so that his salary be enhanced. Counsel submits that petitioner is in custody since 30.01.2025.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that Arms Act is applicable against the petitioner, as he was found in possession of fake arms license, on the basis of which he taken service.

6. In the present facts and circumstances of this case, this Court is not inclined to enlarge the petitioner on bail in connection with Chakand P.S. Case No. 39 of 2025 pending in the court of learned Additional Chief Judicial Magistrate-V, Gaya. Hence, the prayer for bail of the petitioner is hereby rejected.

7. However, petitioner is at liberty that he may renew his prayer for bail after completion of ten months of his custody, if trial shall not conclude within said period.

(Dr. Anshuman, J)

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