

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79837 of 2024

Arising Out of PS. Case No.-899 Year-2023 Thana- SHEKHPURA District- Sheikhpura

Sunil Yadav @ Bullak Yadav S/o- Rambalak Yadav Village-Dharampur, P.S.
Sheikhpura (Hathiyawa O.P.), District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Roop Kishan, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

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

ORAL ORDER

3 19-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sheikhpura P.S. Case No.899 of 2023 registered for the offence
punishable under Sections 25(1-b)a and 26 of the Arms Act.

3. Earlier the prayer for bail of this petitioner was
rejected by this Court passed in Cr. Misc. No. 26604 of 2024
vide order dated 16.04.2024.

4. As per the allegation in the FIR, it is a case of
recovery of one loaded country made pistol, one misfired bullet
and two mobiles from the possession of the petitioner.

5. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has



falsely been implicated in this case. He next submits that there is no any independent witness of the seizure list and all witnesses are police personnel. Nothing has been recovered from the conscious possession of the petitioner. Petitioner is in custody since 24.12.2023.

6. Learned APP opposes the prayer for bail.

7. From perusal of the FIR and also perused the impugned order dated 05.10.2024 passed by the learned Principal District and Sessions Judge, Sheikhpura and also peruse the status report regarding the stage of trial from the Court of the learned ACJM-1st, Sheikhpura vide Letter No. 20 of 2025 dated 11.02.2025, it appears that this is the second attempt for regular bail of the petitioner and first bail petition has already been rejected by this Court vide order dated 16.04.2024 passed in Cr. Misc. No. 26604 of 2024. It also appears from perusal of the status report vide letter no. 20 of 2025 dated 11.02.2025 submitted by the learned trial Court, two months time is likely required to dispose of the trial as the case is presently pending at the stage of the prosecution arguments and the trial may be concluded within two months. Accordingly, considering all these aspects of this case that the trial is in advance stage, I am not inclined to grant bail to the petitioner,



accordingly the prayer of bail of the petitioner stands rejected.

8. However, as per the status report vide letter no. 20 of 2025 dated 11.02.2025 submitted by the learned trial Court, the learned trial Court is directed to conclude the trial within the stipulated period as submitted and if the trial is not concluded within the stipulated period, then the petitioner may have liberty to renew his prayer for bail before the trial Court and the trial Court is directed to grant bail to the petitioner, if the petitioner co-operate in the trial.

(Ramesh Chand Malviya, J)

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