

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40976 of 2014

Arising Out of PS.Case No. -211 Year- 2014 Thana -JAKKANPUR District- PATNA

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NIRANJAN MISHRA, S/o Sri Naresh Mishra @ Naresh Mohan Mishra,
Village – Chhoti Kelabari, P.S. Kotwali, District – Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Indradeo Prasad

For the Opposite Party/s : Dr.M.K.Gautam (APP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 16-04-2015

Heard both sides.

The petitioner seeks bail in Jakkanpur P.S. Case No. 211/2014 (G.R. No. 3385/2014) registered under Section 414 of the Indian Penal Code and Sections 25(1-B)a, 26/35 of the Arms Act.

The petitioner was apprehended while he was driving an Ambassador car bearing registration no. UP34D-7686 and from the petrol tank of the vehicle, one country-made pistol of 7.65 bore, 3 magazines and 1000 live cartridges were recovered. A report is received from the City S.P., Patna stating that the owner of the vehicle is not known and the petitioner was using fake registration number. The same registration number was of a Rajdoot motorcycle standing in the name of Asha Ram, S/o Bhimma, resident of Tilyana Ant, Sitapur, U.P.

Sri Vindhyachal Singh, learned counsel for the petitioner, submits that the petitioner is suffering from HIV and he is under treatment in hospital.

It appears that there is a Special Case registered by the Delhi Police against the petitioner in which also arms was recovered from the possession of the petitioner.

Considering the facts aforesaid and the fact that the petitioner has got criminal antecedent, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and conclude the same positively within six months from the date of receipt / production of this order. If the trial is not concluded within the stipulated period, the petitioner, if so advised, may renew his prayer for bail firstly in the trial court.

(Prabhat Kumar Jha, J)

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