

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38570 of 2015

Arising Out of PS.Case No. -91 Year- 2014 Thana -AMAS District- GAYA

=====

1. Suraj Aruk Son of Hanumant Aruk, Resident of Village-Koera, P.S.-
Koera, District-Kemjar (Orissa)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha

For the Opposite Party/s : Mr. Shyam Kumar Singh (App)

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 02-12-2015

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has renewed his prayer for bail in
connection with Amas P.S. Case No. 91 of 2014 registered for the
offences punishable under Sections 25(1-B)(a), 26(2) and 35 of
the Arms Act, Section 17 of the Criminal Law Amendment Act
and Sections 14 and 15 of the U.A.P.A. Act.

It is contended by the learned counsel for the
petitioner that the co-accused Suresh Prasad having identical
allegation has been granted bail by a coordinate Bench of this
Court vide order dated 11.09.2015 passed in Cr.Misc. No.50884
of 2014.

On the other hand, learned counsel for the State has
submitted that it is a very serious case in which a Tata Sumo

vehicle was intercepted by the police and on search three country made rifle of 0.315 bore, one country made gun and one country made pistol were recovered. The petitioner and one Suresh Prasad were found present in the said Tata Sumo vehicle at the time of search.

I have heard learned counsel for the petitioner and the learned counsel for the State.

It is true that the co-accused Suresh Prasad has been granted bail by a coordinate Bench of this Court. What weighed in the mind of the Court for grant of bail to the co-accused Suresh Prasad is that the vehicle in which the fire arms were carried was being given by one Akhilesh Paswan and the petitioner had confessed before the informant that the seized arms belonged to him. The reason assigned for grant of bail to the co-accused Suresh Prasad itself goes against the case of the petitioner. Furthermore, on merits, in view of the recovery of huge cache of firearms, I do not find it a fit case for grant of bail. Accordingly, the application for bail is rejected.

The trial court is directed to expedite the trial and conclude the same as early as possible.

(Ashwani Kumar Singh, J)

Pradeep/-

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