

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12142 of 2016

Arising Out of PS.Case No. -188 Year- 2015 Thana -BUNIADGANJ District- GAYA

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Rajendra Paswan, S/O Nanhak Paswan, resident of Village- Makhdumpur,
P.S. Rafiganj, District- Aurangabad, At present residing at Manpur, Kachi
Sangat in the house of Kishori Paswan, P.S. Buniadganj, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha

For the Opposite Party/s : Mr. Vinod Shankar Modi(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 05-05-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under section 414 of the I.P.C and sections 25 (1-b) a,
26 and 35 of the Arms Act.

Allegedly, acting on a tip off the house of the
petitioner which he has taken on rent was raided and the petitioner
and co-accused Ranjay Paswan were apprehended. On search one
country made pistol, two live cartridges and some electronic items
were recovered, as per the seizure list.

Submission is of false implication and that the
electronic items which are alleged to be recovered were of Ranjay
Paswan as he is doing the business, it is wrong to say that the same
were the stolen property, no one has claimed those articles and

there is no theft report, Ranjay Paswan has already been allowed bail vide Cr. Misc. No. 4211 of 2016 by another coordinate Bench of this Court and as such the petitioner who is suffering in custody since 01.10.2015 deserves sympathetic consideration.

The learned A.P.P. opposes prayer for bail by submitting that the petitioner has got criminal antecedent as he is involved in 14 more cases including one Jugsalai (Jamshedpur) P.S. Case No. 182 of 2014 under sections 25 (1-b) a, 26 and 35 of the Arms Act.

In the facts and circumstances as stated above, considering the criminal antecedent of the petitioner and the alleged recovery, at present I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Buniadganj P.S. Case No. 188 of 2015 pending in the court of C.J.M. Gaya.

However, the learned trial court is directed to expedite the trial and to conclude the same preferably within a period of six months from the date of receipt/production of a copy of this order, failing which the petitioner may be at liberty to renew his prayer for bail.

(Jitendra Mohan Sharma, J)

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