

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17320 of 2016

Arising Out of PS.Case No. -104 Year- 2015 Thana -RAMKRISHNANAGAR District- PATNA

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AWADHESH KUMAR JAISWAL @ ABODH @ CHUHW
@AWADHESH PRASAD JAISWAL @ AWADHESH KUMAR, son of
Late Nageshwar Prasad Jaiswal, resident of Chiksaura Bazar, P.S.
Chiksaura, District- Nalanda. At present residing at Khemnichak, Road
No.2, Back of Ford Hospital, P.S. Ramkrishna Nagar, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad

For the Opposite Party/s : Mr. Rajendra Pd. Nat(App)

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

6 11-07-2016

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 sections 25 (1-b) A, 26 and 35 of the Arms Act
and sections 13, 16, 18, 19 and 20 of the Unlawful Activities Act.

Allegedly, acting on an information the petitioner was
apprehended and from his possession one loaded country made
katta, live cartridge and mobile, as per the seizure list, were
recovered and further he disclosed regarding his involvement in
the extremists activities of P.L.F.I. The petitioner further disclosed
that he was in jail custody in a murder case and recently he has
been released and thereafter he is involved in extremists activities.

Submission is of false implication and that the petitioner has been made victim of the circumstances, nothing was recovered from his conscious possession and only on suspicion he has been apprehended and without any fault he is suffering in custody since 03.06.2015.

The learned A.P.P. seriously opposes prayer for bail by submitting that earlier bail application was filed after suppressing the criminal antecedent of the petitioner as only two cases were disclosed but thereafter in the supplementary affidavit further five cases have been disclosed and thus the petitioner is involved in seven more cases.

In the facts and circumstances as stated above, at present, I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Ram Krishna Nagar P.S. Case No. 104 of 2015 pending in the court of C.J.M. Patna.

However, let the trial be expedited and concluded as early as possible 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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