

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49086 of 2016

Arising Out of PS.Case No. -104 Year- 2015 Thana -MATIHANI District- BEGUSARAI

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1. Golu Kumar @ Golu Kumar Singh Son of Ram Sharan Singh resident of
Village- Ramdiri Tola, Mahaji, P.S.- Matihani, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Mr. Sri Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 14-12-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner, Golu Kumar @ Golu Kumar Singh, is in
custody since 27.06.2015 in connection with Sessions Trial No. 607 of
2015 arising out of Matihani P.S. Case No. 104 of 2015 registered
under Sections 399 and 402 of the Indian Penal Code and Section 25(1-
B)a, 26/35 of the Arms Act.

3. According to prosecution case, two loaded country made
pistol along with two live cartridges 315 bore were recovered from the
conscious possession of the petitioner.

4. Learned counsel for the petitioner has submitted that the
petitioner is innocent and not committed offence. He has falsely been
implicated in this case on the basis of antecedent of the petitioner.
Nothing has been recovered from the possession of the petitioner. The



seizure list does not contain signature of the petitioner rather the same has not been prepared in presence of independent witnesses. Further, it has been submitted that the petitioner is languishing in jail since 27.06.2015 i.e. almost one and half year.

5. On the other hand, learned A.P.P. has opposed the prayer for bail of the petitioner and submitted that two loaded country made pistol along with two live cartridges were recovered from the possession of the petitioner. Further, the petitioner has also criminal antecedents having serious allegations as it appears from paragraph 3 of the present application.

6. Considering the nature of allegation and the criminal antecedents, having serious allegations, of the petitioner, this Court is not inclined to grant privilege of bail to the petitioner. Accordingly, prayer for bail of the petitioner is rejected.

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(Arvind Srivastava, J.)

