

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7164 of 2017

Arising Out of PS.Case No. -122 Year- 2016 Thana -SAHEBPUR KAMAL District- BEGUSARAI
=====

1. Chandan Yadav, Son of Late Ramji Yadav, Resident of village - Hiratol,
Police Station - Shebpur Kamal, District - Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh

For the Opposite Party/s : Mr. Jagdhar Prasad
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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-02-2017 The petitioner is in custody since 31.07.2016 in connection with Sahebpur Kamal P.S. Case No. 122 of 2016, registered for offences punishable under Sections 414 of the Indian Penal Code and Section 25(1-b), 26 and 35 of the Arms Act.

It has been submitted on behalf of the petitioner that from perusal of the F.I.R. itself, it will appear that petitioner has been made accused in this case only on the basis of the suspicion. The motorcycle that has been recovered in this case, belongs to the petitioner and the same is not a stolen one. It has further been submitted though there is further allegation that one loaded country made pistol along with one cartridge has been recovered, however the petitioner has sufficiently been punished for the said



offence as he has been in judicial custody since 31.07.2016.

Learned counsel for the State opposed the prayer for bail.

Having heard both sides, in view of the fact that in this case there is recovery of one country made loaded pistol and one cartridge from the petitioner coupled with the fact that petitioner has criminal antecedent as he is accused in as many as four other cases, I am not inclined to grant the petitioner, the privilege of regular bail, it is accordingly rejected.

However, the petitioner may renew his prayer for bail in the court below itself after framing of charge in this case and if any such application is filed, the court below shall consider the same on the merit of the case and shall pass an appropriate order, without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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