

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7803 of 2017

Arising Out of PS.Case No. -83 Year- 2016 Thana -GUTHNI District- SIWAN

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1. Lucky Tiwari@ Lakki Kumar Tiwari @ Lakki Tiwari, Son of Dhananjay Tiwari, Resident of village - Panditpura, P.S. Mairwa, District - Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha

For the Opposite Party/s : Mr. Sri Dilip Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-02-2017 Heard the parties.

This application is for grant of bail in connection with Guthani P.S.Case No.83 of 2016 for the offence under Sections 25(1-A)(10B)/26/35 of the Arms Act.

It is submitted on behalf of the petitioner that one country-made Pistol has been recovered from him but on its examination, it was found that it is not in workable condition and the petitioner is in custody for about seven months.

Heard learned A.P.P. also, who has opposed the prayer for bail, stating that there is recovery of a country-made Pistol as well as he is accused in other cases also.

Having heard both sides and from perusal of the F.I.R. itself, it appears that when the police party raided, exchange of



firing started from both the sides and after that the accused persons were arrested and from the possession of the accused persons, one country-made Pistol has been recovered and apart from that from the possession of the other accused persons, one AK 47 Rifle has also been recovered, as also mentioned in the impugned order. The petitioner has criminal antecedent.

Considering the aforesaid facts, I am not inclined to grant bail to the petitioner at this stage, however, considering the fact that the petitioner is in custody for about seven months, the learned trial court is directed to expedite the trial and try to conclude it within a period of one year.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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