

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39146 of 2017

Arising Out of PS.Case No. -70 Year- 2017 Thana -KHODABANDPUR District- BEGUSARAI

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1. SHILWANT KUMAR @ SHILWANTA @ SHILWANT @
SHILWANTA KUMAR Son of Purendra Kumar @ Pulender Mahto, R/o
Village- Khodbandpur, P.S.- Khondabandpur, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-09-2017 Heard the parties.

This application is for grant of regular bail in connection with Khodabandpur P.S.case No.70 of 2017, for the offences under Sections 399 and 402 of the Indian Penal Code and Section 25(1-b)a, 26 and 35 of the Arms Act.

Allegation against the petitioner as per FIR is that the petitioner and other co-accused persons were preparing ‘*dacoity*’ in the meantime, the police raided the house and several bottles of liquor were found there and they had also thrown some bottles out of the house. There is also allegation that the petitioner has thrown a pistol outside the house, which has been recovered by the police personnel. It is further submitted that the petitioner is accused in two other cases also.



Submission of the learned counsel for the petitioner is nothing has been recovered from the possession of the petitioner and he has been falsely implicated in this case. The petitioner is in custody for about four months.

Heard learned A.P.P. also, who has opposed the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner, as such this application is disposed of with direction to the learned court below to expedite the proceeding and once the charge is framed or the petitioner completes six months in judicial custody, the learned court below shall release the petitioner in connection with Khodwandpur P.S.Case No.70 of 2017 to his own satisfaction.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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