

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46022 of 2017

Arising Out of PS.Case No. -123 Year- 2017 Thana -PUPRI District- SITAMARHI

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Maruti Nandan Chaudhary @ Niraj Chaudhary son of Ganga Ram Chaudhary, resident of Village- Jharhihat Chowk, P.S.- Pupari, District- Sitamarhi. Petitioner.

Versus

The State of Bihar. Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Krishna Chandra

For the Opposite Party/s : Mr. Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

02 21-09-2017 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in Pupari P.S. Case No.123 of 2017 registered under Section 255 & 256 of the Indian Penal Code and Section 25 (1-b)A/26 of the Arms Act.

As per the prosecution case, two country made pistols and two live cartridges are said to have been seized from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from his conscious physical possession. It is also submitted that a maid servant, which was looking after the family affair of the petitioner was raped by his co-villager Ram Chabila Chaudhary giving rise to Pupari P.S. Case No.372/2013 and the said accused in collusion



with the police falsely implicated the petitioner planting arms and ammunitions against him. The petitioner has been languishing in custody since 13.05.2017.

In the facts and circumstances aforesaid, I am not inclined to grant the privilege of bail to the petitioner at this stage. However, the petitioner may renew his prayer for bail after framing of charge.

Accordingly, this application is rejected.

(Prakash Chandra Jaiswal, J)

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