

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3695 of 2017

Arising Out of PS.Case No. -123 Year- 2016 Thana -TEGHRA District- BEGUSARAI

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Dayanand Malakar @ Chhotu, S/o late Yogendra Malakar, R/o Vill-
Nonpur, P.S. Teghra, Distt. Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate.

For the Opposite Party/s : Mr. Ramesh Chandra, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

5 07-03-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Teghra P.S. Case 123 of 2016 instituted for the offence under Section 120(B) of the Indian Penal Code, Sections 25(1-B)a, 26 of the Arms Act and Sections 3, 4, 5 of the Explosive Substance Act.

It is alleged in the written report that the informant on receiving information regarding presence of Maoists Organisation at NH-28, he along with the police party reached there and on seeing the police jeep, one person started running away who was caught hold with the help of police force. He disclosed his name as Dayanand Malakar @ Chhotu (petitioner).

The police recovered one loaded country made pistol and four live cartridges from their possession. The police after arrest of the person concerned searched his house and recovered



one green colour uniform which is used in Maoist activity, 2 detonators with fuse wire and 7 posters. The seizure list was prepared and a copy whereof was given to the petitioner.

Learned A.P.P. has submitted that the witnesses have supported the allegation against the petitioner in various paragraphs of the case diary. In paragraph-37 of the case diary it is mentioned that 14 other cases are pending against the petitioner. The counsel for the petitioner has submitted that he has been acquitted in some of those cases whereas in paragraph-3 of the bail petition it is mentioned that six cases are still pending against the petitioner which are for the offences under Sections 302, 307, 326 of the Indian Penal Code and other serious offences and Arms Act.

Therefore, this Court is not inclined to grant bail to the petitioner.

The prayer for bail of the petitioner stands rejected.

The petitioner is given liberty to renew his prayer for bail after nine months if no substantive progress is made in the trial.

(Sanjay Priya, J)

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