

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15327 of 2017

Arising Out of PS.Case No. -229 Year- 2016 Thana -DARBHANGA District- DARBHANGA

=====

1. Prithavi Rai @ Bhairab Son of Bharat Lal Yadav resident of Village -
Laxmi Sagar J.P. Chowk, P.S. L.N.M.U. District Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP.

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 08-05-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner is languishing in custody for the offences
punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act.

From the possession of the petitioner, two pistols
and nine cartridges kept in a bag was recovered when the
petitioner was fleeing away after throwing the same.

Submission is that co-accused Sandip Kumar Singh
had confessed before the police that the said pistol was of Sandip
Kumar Singh and he had supplied it to the petitioner. Sandip
Kumar Singh has already been granted bail by the learned court
below.

Sandip Kumar Singh was granted bail for the



reason that the recovery was not made from his possession. Therefore, the allegation against the petitioner is not similar to that of Sandip Kumar Singh. The petitioner is in custody since 15.12.2016.

Considering the nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail for the present. Accordingly, his prayer for bail in connection with Darbhanga Town P.S. Case No. 229 of 2016 pending in the court of learned Chief Judicial Magistrate, Darbhanga is refused.

The learned Trial Court is directed to expedite and conclude the trial within nine months from the date of receipt of a copy of this order, failing which the petitioner would be at liberty to renew his prayer for bail.

(Birendra Kumar, J)

Mishra/-

U		T	
---	--	---	--

