

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13385 of 2017

Arising Out of PS.Case No. -154 Year- 2016 Thana -DURAULI District- SIWAN

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Arun Kumar, Son of Bharat Manjhi, Resident of village-Rampur Pratappur,
P.S. Bankatta, District-Deoria (Uttar Pradesh).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Smt. Sucheta Yadav

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 23-03-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is an accused in connection with Darauli
P.S. Case No. 154 of 2016, registered under Sections 399, 402 and 414
of Indian Penal Code and Section 25(1-A)(1-B), 26 and 35 of the
Arms Act, pending in the Court of Addl. Chief Judicial Magistrate-III,
Siwan.

The accusation is that on receiving secret information
about gathering of the miscreants for making plan to commit heinous
crime at Babana Bazar, the Police personnel reached there. On seeing
the Police party, five persons started fleeing, but they were
apprehended, who disclosed their names as Arun Kumar Manjhi
(Petitioner), Satish Jaiswal, Achhelal Nisad, Ajay Kumar and Vivek
Kumar Nisad. On search, one country made pistol having four live
cartridges in magazine and mobile phone were recovered from the



possession of the petitioner. Whereas, 9 MM country made pistol with four live cartridges contained in magazine and mobile phone were recovered from the possession of Satish Jaiswal, one loaded pistol containing four cartridges in magazine recovered from the possession of Acchay Lal, whereas Vivek Kumar was found in possession of two live cartridges.

Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in this case. The petitioner is in custody since 26.10.2016.

Learned counsel for the State vehemently opposed the prayer of the petitioner with submission that petitioner has criminal antecedent is entered in three cases as detailed in para-3.

Having considered the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail at present. Accordingly, prayer of the petitioner for bail is rejected.

(Rajendra Kumar Mishra, J)

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