

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42646 of 2017

Arising Out of PS.Case No. -270 Year- 2017 Thana -BEGUSARAI TOWN District- BEGUSARAI

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1. Surajbhan Singh @ Nirmal Kumar, son of Sri Varun Chaudhary, resident of Village- Nagdah, Ward No. 13, Police Station- Singhaul (Mufassil) in the district- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Sri Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 08-09-2017 Heard the parties.

This application is for grant of regular bail in connection with Begusarai Town P.S.Case No.270 of 2017, registered for the offences punishable under Sections 399, 402 & 414 of the Indian Penal Code and Section 25(1-B)a/26 and 35 of the Arms Act.

Allegation against the petitioner is of recovery of one loaded country-made pistol as well as two cartridges of .315 bore.

Submission of the learned counsel for the petitioner is that he has been falsely implicated in this case. The petitioner is a student and his examination is to commence from 11th September, 2017. It is further submitted that the petitioner has no criminal antecedent and he is in custody since 27.5.2017.

Heard learned A.P.P. also, who has opposed the



prayer for bail, stating that the F.I.R. also shows his involvement in dacoity at Petrol Pump and at one more place, in which he was working as a Liner but the learned counsel for the petitioner has controverted the submissions about his involvement.

Having heard both sides and in view of the facts and circumstances, mainly recovery of one loaded country-made Pistol, at this stage, I am not inclined to grant bail to the petitioner, however, the petitioner may renew his prayer for bail after framing of charge or completion of his custody of six months, whichever is earlier.

The petitioner has also taken plea that his examination is to commence from 11th September, 2017.

In such view of the matter, if the petitioner moves before the learned court below and make such prayer, he will pass appropriate order on the same day considering his examination so that he may appear in examination.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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