

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8020 of 2017

Arising Out of PS.Case No. -94 Year- 2016 Thana -DAWATH District- SASARAM (ROHTAS)

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Prakash Kumar, son of Kamendra Sah, resident of Village- Senmari
Maliyabagh, P.S.- Dawath, District- Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ahtash Ali Khan, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-02-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with
Dawath P.S.Case No. 94 of 2016 registered for the offences
punishable under Sections 414 of the Indian Penal and 25(1 b)a,
26 & 35 of the Arms Act.

It has been submitted on behalf of the petitioner that
FIR shows no recovery but from perusal of the seizure list it
appears that there is recovery of country made pistol and
motorcycle but there is no case of theft of motorcycle and
petitioner is in custody for more than three months.

Heard learned APP also, who has opposed the prayer
for bail stating that petitioner has criminal antecedent and he is
named in four other cases also.



Having heard both sides and considering the fact that there is recovery of country made pistol from the house of the petitioner and motorcycle, coupled with the fact that he has criminal antecedent and he has been made accused in four other cases also, I am not inclined to grant bail to the petitioner at this stage. Petitioner may renew his prayer for bail after framing of charge in this case.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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