

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40455 of 2017

Arising Out of PS.Case No. -366 Year- 2017 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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1. Vijay Pasi, S/o Sri Ramjanam Pasi, R/o Village- Rangpur, P.S.-
Darigaon, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh

For the Opposite Party/s : Mr. Suresh Prasad Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 31-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
24.03.2017 in connection with Sasaram (Darigaon) P.S. Case
No. 366/2017 for offences punishable under Sections 25(1-b)
a/26/35 of the Arms Act and Sections 13/17/20 of the UAP
Act.

The prosecution case, as lodged by the police
personnel, is that one dreaded naxalites Pramod Tiwary @
Naga was arrested, who, in his confessional statement, named
the petitioner and co-accused Lalji Pasi for having huge
quantity of arms and ammunitons hidden. On the said



confessional statement, the petitioner was apprehended in his house while other co-accused Lalji Pasi managed to flee away. On the confessional statement of the petitioner, huge quantity of arms and ammunitions were found in the garlic field of his nephew Lalji Pasi. Accordingly, a seizure-list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. He submits that nothing has been recovered from his conscious possession nor from his house but from the field of his nephew. He further submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail stating therein that on the confessional statement of the petitioner huge quantity of arms and ammunitions was recovered from the field of his nephew.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with Sasaram (Darigaon) P.S. Case No. 366/2017, pending in the court of



learned Chief Judicial Magistrate, Rohtas at Sasaram.

Application is, accordingly, rejected.

(Nilu Agrawal, J)

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