

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3733 of 2018

Arising Out of PS. Case No.-205 Year-2017 Thana- BARAULI District- Gopalganj

Hasmuddeen @ Hasmuddin Son of Tabarak Miyan Resident of Village-
Kotwan, P.S. Barauli, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan

For the Opposite Party/s : Mr. SRI ARBIND KUMAR PANDEY

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

4 17-02-2018 Heard learned counsel for the petitioner and the learned
APP for the State.

Petitioner, already in custody, seeks bail in connection with
Barauli P.S. Case No.205 of 2017, corresponding to G.R.
No.3657 of 2017, registered under Sections 399 and 402 of the
Indian Penal Code as well as under Sections 25(1-B)a, 26 and
35 of the Arms Act.

Allegation in brief is that large number of miscreants had
assembled at the house of the petitioner with arms and making
plan for committing dacoity and one country made carbine with
magazine and four rounds of live cartridges of 9 M.M. were
recovered near the *veranda* of the house of the petitioner.

Learned counsel for the petitioner submits that the
recovery is not from the conscious possession of the petitioner,



other co-accused from whose possession live cartridges were recovered have been admitted to bail and the petitioner has no criminal antecedent.

Having considered the said facts and circumstances, the prayer of bail of the petitioner is rejected in connection with Barauli P.S. Case No.205 of 2017, corresponding to G.R. No.3657 of 2017, pending in the court of learned A.C.J.M.-13th, Gopalganj, with an observation that the petitioner may renew his prayer of bail after framing of charge.

(Arun Kumar, J)

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