

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6521 of 2018

Arising Out of PS. Case No.-33 Year-2017 Thana- HAJIPUR District- Vaishali

Shiv Kumar @ Bholu, S/o Kusheshwar Patel @ Kusheshwar Mahto, R/o
Village- Dighi Kala East, P.S. Sadar Hajipur, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vasant Vikas

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 07-02-2018 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with
Hajipur Town P.S. Case No. 33 of 2017 registered under
Sections 414/34 of the Indian Penal Code, Sections 25(1-B)a,
26, 35 of the Arms Act and Sections 8(b)(ii)(B) of N.D.P.S. Act.

The petitioner along with other accused persons
were apprehended and one country made pistol, one live
cartridge and one knife were recovered from the possession of
the petitioner. While the stolen Scorpio and 2 Kg. of ganja from
the accused Mithun Kumar.

It is submitted by learned counsel for the
petitioner that the petitioner has been falsely implicated in this



case. No incriminating article has been recovered from his conscious physical possession. He has no concern with the seized Scorpio or ganja. He has been languishing in custody since 19.01.2017. Earlier, the bail petition of the petitioner was rejected by this Court with liberty to the petitioner to renew the same, if the trial is not concluded within six months. But the trial has yet not been concluded without any laches on the part of the petitioner.

On the other hand, learned APP opposed the bail petition submitting that loaded pistol and knife has been recovered from the possession of the petitioner and petitioner is a veteran criminal.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned District & Sessions Judge, Vaishali in connection with Hajipur Town P.S. Case No. 33 of 2017.

(Prakash Chandra Jaiswal, J)

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