

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38722 of 2018

Arising Out of PS.Case No. -118 Year- 2018 Thana -PALIGANJ District- PATNA

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Lavkush Sharma S/o Dayanand Singh, R/o Vill.- Kalyanpur, P.S.- Paliganj,
District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

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

3 11-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Paliganj P.S. Case No.
118 of 2018 registered under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016 and Sections 25(1-b)a, 26 and 35
of the Arms Act.

Petitioner is said to be making plan for committing
some crime along with other accused persons and other accused
persons managed to escape while the petitioner was apprehended
and one country made pistol and two live cartridges were
recovered from his possession while three litres of liquor was
recovered from the Hundai Car.

It is submitted by learned counsel for the petitioner



that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern with the seized articles. He has been falsely implicated in the case by the police merely on suspicion while he was regressing from barat and was also assaulted indiscriminately inflicting several injuries on his person. The petitioner has been languishing in custody since 23.04.2018.

Learned APP opposing the bail petition submitted that one country made pistol and two live cartridges have been recovered from the possession of the petitioner, hence he does not deserve bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Prayer for bail of the petitioner is rejected.

However, the petitioner may renew his prayer for bail after framing of charge.

(Prakash Chandra Jaiswal, J)

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