

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35747 of 2018

Arising Out of PS. Case No.-235 Year-2017 Thana- RAJIVNAGAR District- Patna

Indal Rai, Son of Pawan Ray @ Pawan Kumar Rai, resident of Chhihattar Chak, Police Station-Pahleja, District-Saran, at present Panchavati Colony, Digha Amrudi Bagicha, Police Station-Digha, District-Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar Singh

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 12-07-2018 Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner, already in custody, seeks bail in connection with Rajiv Nagar P.S. Case No.235 of 2017 registered under Sections 399, 402 and 412 of the Indian Penal Code as well as under Sections 25(1-B)A, 26, 35 of the Arms Act.

Allegation in brief is that the petitioner was apprehended along with number of miscreants in the night while making plan for committing dacoity and one semi automatic pistol with magazine was recovered from possession of the petitioner.

Learned counsel for the petitioner seeks bail on the ground of parity as one of the co-accused Pankaj Kumar was



granted bail by this Court vide order dated 19.06.2018 passed in Cr. Misc. No.11011 of 2018. However, there is no parity with the aforesaid accused as semi automatic pistol was recovered from petitioner's possession and has also got criminal antecedent under Section 392 of the Indian Penal Code; whereas Pankaj Kumar had no criminal antecedent.

Having considered the aforesaid facts and circumstances, the prayer of bail of the petitioner is rejected.

(Arun Kumar, J)

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