

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53417 of 2019

Arising Out of PS. Case No.-127 Year-2019 Thana- BIKRAM District- Patna

Awadhesh Kumar @ Awadhesh Sahani, Son of Ram Chandra Sahani Resident
of Village - Bahilwara, P.S.- Saraiya, District- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr. Nawal Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 25-11-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner seeks regular bail in connection with
Bikram P.S. Case No.127 of 2019, G.R. No.1546 of 2019 for the
offence punishable under Section 414 of the Indian Penal Code
and Section 25(1-B)A, 26, 35 of Arms Act.

Prosecution story is that police got secret information
that some miscreants involved in the vehicle robbery were going
from I-10 car after passing Naubatpur through N.H.-98 to
Kanpa. On this information, police intercepted the vehicle in
question and arrested three persons. Upon search, the police
recovered 0.315 bore loaded country-made pistol and four live
cartridges from the possession of the petitioner.

Learned counsel for the petitioner submits that



petitioner has falsely been implicated in this case and due process of search and seizure has not been adopted by the police. Learned counsel further submits that the petitioner is in custody since 04.05.2019.

On the other hand, learned counsel appearing for the State vehemently opposes the prayer for regular bail and submits that the petitioner has criminal antecedent inasmuch as so many cases have been lodged against the petitioner involving heinous crime. As such, the petitioner does not deserve the privilege of bail.

Having heard learned counsel for the parties and taking into consideration the fact that loaded pistol with live cartridges have been recovered from the possession of the petitioner and the petitioner has got criminal antecedent, I am not inclined to grant regular bail to the petitioner and the prayer for regular bail is rejected.

However, if the trial is not concluded within a year, the petitioner may renew his prayer for regular bail after a year.

(Anil Kumar Sinha, J)

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