

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74056 of 2019

Arising Out of PS. Case No.-291 Year-2018 Thana- BARHIYA District- Lakhisarai

CHANDAN KUMAR @ TITU DHAMAKA Son of Shri Baban Singh
Resident of Village - Jaitpur, P.S.- Barhaiya, District- Lakhisarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Smt. Sudha Ambastha
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner in the present case is seeking regular bail in connection with Barhaiya P.S. Case No. 291/2018 corresponding to G.R. No. 1974/2018 registered under Sections 25(1-B)(A), 26(i)(ii)/35 of the Arms Act, pending in the court of learned C.J.M., Lakhisarai.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, nothing incriminating has been recovered from the possession of the petitioner and he is in custody since 24.12.2018. Learned counsel submits that two co-accused have been granted regular bail by learned coordinate Bench of this court.

Learned A.P.P. for the State has opposed the prayer for bail submits that police has arrested this petitioner with country



made pistol and eight live cartridges and that he ha got six more cases.

Considering the facts and circumstances of the case wherein police has arrested this petitioner with country made pistol and eight live cartridges and that he has got six more cases of similar nature under various provisions of the I.P.C. read with Section 27 of the Arms Act, this court is not inclined to grant regular bail to the petitioner. Learned counsel for the petitioner has submitted before this court that two co-accused have been granted regular bail by learned coordinate Bench of this court, however after going through the orders passed by learned coordinate Bench this court finds that the attention of learned coordinate Bench of this court was perhaps not drawn towards the criminal antecedent issue, may be that those petitioners may not have got criminal antecedent.

To this court, it appears that there being criminal antecedent of as many as six cases of similar nature, release of this petitioner will be a threat to the society and his presence may not be procured by this court in course of trial easily.

The application is, thus, dismissed.

(Rajeev Ranjan Prasad, J)

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