

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75030 of 2019

Arising Out of PS. Case No.-58 Year-2019 Thana- BITHAN BAZAR District- Samastipur

OM KUMAR Son of Shiv Shankar Roy @ Shiv Shankar Yadav Resident of
Village- Jiwar, Police Station- Hasanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi
For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 26-11-2019 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in **Bithan P.S.**

Case No. 58 of 2019 registered for the offence punishable under Sections 399/402 of the Indian Penal Code, 25(1-B)a, 26 and 35 of the Arms Act and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is of recovery of one loaded country made pistol and six live cartridges.

It has been submitted on behalf of petitioner that petitioner is in custody since 07.07.2019 and similarly, situated co-accused persons have been granted bail by a co-ordinate bench of this Court vide order dated 11.09.2019 passed in Criminal Miscellaneous No. 57418 of 2019.

From perusal of para 3 of the petition, it appears that



petitioner has criminal history and has been earlier also involved in similar nature of offence, as such I am not inclined to enlarge him on bail.

Hence, the prayer for bail of the petitioner is hereby rejected.

However, petitioner is granted liberty to renew his prayer for bail after completing one year of jail custody.

(S. Kumar, J)

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