

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3593 of 2020

Arising Out of PS. Case No.-199 Year-2019 Thana- BHANGWANPUR HAT District- Siwan

KANHAIYA KUMAR RAI @ KANIAYA KUMAR RAI @ KANHAIY RAI
@ @ KANIEYA KUMAR RAI S/o Late Buni Lal Rai R/o village- Barwan
Kala, P.S.- Basantpur, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 28-02-2020 The petitioner seeks regular bail in connection with Bhagwanpur Hat P.S. Case No. 199 of 2019, registered for offences punishable under Sections 399, 401, 413 and 414 of the Indian penal Code and Sections 25(1-b)a, 26, 35 of the Arms Act.

Prosecution case is that police on information that some persons have assembled to commit dacoity, raided the place and the accused persons including petitioner were arrested and from the possession of the petitioner one loaded country made pistol and one live cartridge have been recovered.

It has been submitted on behalf of the petitioner that he has falsely been implicated in this case and has been in custody since 13.10.2019.



Learned counsel for the State opposed the prayer for bail on the ground that there is recovery from the possession of the petitioner and apart from that he is accused in two more cases.

Having heard both sides, in view of the allegation as well as criminal antecedent of the petitioner, at this stage, I am not inclined to enlarge the petitioner on bail, however, once the charge is framed or the petitioner completes seven months in juridical custody, whichever is earlier, the petitioner will be at liberty to renew his prayer for bail.

This application is accordingly dismissed.

(Vinod Kumar Sinha, J)

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