

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4569 of 2020

Arising Out of PS. Case No.-141 Year-2018 Thana- BELDOUR District- Khagaria

Pappu Sah @ Pappu Gupta Son of Sukhdeo Sah, Resident of Village -
Beldaur, P.S.- Beldaur, District- Khagaria.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Binod Kumar, Advocate

For the Opposite Party/s : Mr.Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-01-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Beldaur P.S. Case No. 141 of 2018 registered for the offences punishable under Sections 25(1-b)a/26(i)(ii) of the Arms Act and 37(c) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that in home from where alleged recovery was made is joint family property and during investigation no independent witness supported the prosecution story. The petitioner is in custody since 02.08.2018.

Learned A.P.P. for the State has opposed the prayer for



bail of the petitioner.

Considering the facts and circumstances of the case wherein the petitioner is a convict in Beldaur P.S. Case No. 90 of 2017 for the offences alleged under the provisions of the Bihar Prohibition and Excise Act, 2016 and still he has got involved in a case of similar nature and in addition one country made pistol with live cartridges were recovered from his possession, this Court is not inclined to grant bail to the petitioner.

In Paragraph '3' of the application although the information has been furnished about the previous cases but to this Court it appears that the information furnished with regard to the Beldaur P.S. Case No. 90 of 2017 is not disclosing the true fact and it gives an impression that he is a mere accused in this case whereas in the impugned order has come and position has been accepted by learned counsel for the petitioner that the petitioner is a convict in this case.

The application is, thus, dismissed.

(Rajeev Ranjan Prasad, J)

vats/ved

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