

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27851 of 2020

Arising Out of PS. Case No.-356 Year-2019 Thana- GORAU District- Vaishali

PAWAN KUMAR S/o Baleshwar Rai Resident of Village-Dhane Goraul, P.S-
Goraul, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Singh

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-11-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Goraul P.S. Case No. 356 of 2019 for the offence registered under Sections 399, 402, 313 and 414 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act, 1959.

The allegation is regarding the petitioner having been apprehended by the Police and upon search one country made pistol and two live cartridges are stated to have been recovered from his possession.



The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and he is languishing in custody since 26.09.2019.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that the petitioner appears to be a veteran criminal/habitual offender, this Court finds that it would not be in the interest of society at large to grant bail to the petitioner herein. Reference in this connection be had to a judgment rendered by the Hon'ble Apex Court in the case of *Ash Mohammad vs. Shiv Raj Singh @ Lalla Babu & Anr.* reported in *(2012) 9 SCC 446*. Even on merits, this Court is of the view that considering the nature of allegation levelled against the petitioner herein, coupled with the fact that the petitioner is an accused in four other cases, no case is made out for grant of regular bail to the petitioner, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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