

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34073 of 2020

Arising Out of PS. Case No.-285 Year-2020 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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BADAL KUMAR SINGH Son of Santosh Kumar Singh Resident of Village -
Sain, Ram Rai Tola, Police Station - Kanti, District - Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

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

For the Opposite Party/s : Ms.Veena Kumari Jaiswal,APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 29-01-2021 Heard learned counsel for the petitioner and Ms.

Veena Kumari Jaiswal, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Kanti P.S. Case No. 285 of 2020 registered for the offence punishable under Sections 401 of the Indian Penal Code and 25(1-b)a, 26/35 of the Arms Act.

Learned counsel for the petitioner submits that as per prosecution story the informant on secret information raided the given place and apprehended two persons. One of them is the petitioner. On search, police recovered one country-made pistol and five live cartridges from possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that nothing has been recovered



from the possession of the petitioner and he has nothing to do with the affairs of co-accused. It is further submitted that no independent witness has signed the seizure list. The petitioner is in custody since 24.05.2020.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case, considering that five live cartridges and one pistol have been recovered from the possession of the petitioner and he has got two criminal antecedents in which he is not on bail at this stage, this Court is not inclined to grant privilege of regular bail for the present. The prayer for regular bail of the petitioner is, thus, refused.

The petitioner may, however, renew his prayer for regular bail after completion of one year of the custody in connection with this case.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

