

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40351 of 2020

Arising Out of PS. Case No.-168 Year-2020 Thana- OBRA District- Aurangabad

SHIKANDAR PASWAN SON OF PRADUMAN PASWAN @ PADUM
PASWAN RESIDENT OF VILLAGE - MOKHTARPUR, P.S. - KHUDWAN,
DISTRICT - AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party/s : Mrs. Nirmala Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-03-2021 Heard Mr. Bachan Jee Ojha, learned counsel for the

petitioner and Mrs. Nirmala Kumari, learned Additional Public

Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with Obra
P.S. Case No. 168 of 2020 registered for the offences punishable
under Sections 25(1-b)a, 26 and 35 of the Arms Act.

The allegation as per the First Information Report is
that a country made pistol loaded with one cartridge has been
recovered from possession of the petitioner.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case by the Police
with oblique motive. Learned counsel further submits that at the



time of search and seizure, the procedure prescribed under Section 100 Cr. P.C. has not been followed and the petitioner is in custody since 11.7.2020.

On the other hand, learned counsel for the State submits that the petitioner has got criminal antecedents and altogether five cases are pending against him.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the nature of allegation and the fact that the petitioner has got criminal antecedents, I am not inclined to grant regular bail to the petitioner at this stage.

Accordingly, the prayer for bail of the petitioner stands rejected.

However, the petitioner may renew his prayer for bail after six months if the trial does not show any progress.

(Anil Kumar Sinha, J)

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