

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1043 of 2021**

Arising Out of PS. Case No.-191 Year-2020 Thana- PIPRA District- East Champaran

SANTOSH SAHANI, Son of gurdel Sahani Resident of Village - Nandpur,
P.S.- Muffasil, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 09-03-2021 Heard Mr. Sunil Kumar No.III, learned Counsel for the
petitioner and Mr. Nirmal Kumar Sinha, learned Additional Public
Prosecutor for the State, through Video Conferencing.

This application, for grant of regular bail, arises out of
Pipra Police Station Case No. 191 of 2020, disclosing offences
under Sections 413, 414 of the IPC and Section 25(1-b)a, 26, 35 of
the Arms Act.

The allegation, as per the First Information Report is
that police got information that some criminals have assembled
near chowk of Village Chintamanpur, H.P. Gas Agency, for the
purpose of committing robbery and loot in the petrol pump and Gas
Agency, proceeded towards the place of occurrence and recovered
one country-made loaded pistol and three live cartridges from the
waist 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 due to oblique motive. Learned counsel next submits that from perusal of the seizure list, it would be evident that the case number in which the alleged seizure was made is not mentioned therein. Learned counsel further submits that petitioner is in custody since 08.06.2020.

On the other hand, learned counsel for the State submits that the petitioner has got criminal antecedent and a loaded pistol along with live cartridges have been recovered from his possession.

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

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

(Anil Kumar Sinha, J.)

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