

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4046 of 2021

Arising Out of PS. Case No.-397 Year-2020 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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SURAJ KUMAR @ SURAJ KUMAR GUPTA @ SURAJ GUPTA, S/o Ram
Keshwar Sah @ Aklu Sah, Resident of Gola Bandh Road, Rajendr Marg,
Ward No. 18, P.S.- Town, District- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chitranjan Sinha, Sr. Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-03-2021 Heard Mr. Chitranjan Sinha, learned senior counsel

for the petitioner and Mr. Nawal Kishore Prasad, learned

Additional Public Prosecutor for the State, through Video

Conferencing.

This application, for grant of regular bail, arises out
of Town Police Station Case No. 397 of 2020, disclosing
offences under Section 414/34 of the Indian Penal Code and
Sections 25(1-B)a, 26, 35 of Arms Act.

The allegation against the petitioner is that one
loaded pistol has been recovered from the possession of the
petitioner.

Learned senior 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. Learned senior counsel further submits that motorcycle which was said to be stolen motorcycle was not recovered from possession of the petitioner and that was being driven by co-accused. Learned senior counsel next submits that petitioner is in custody since 06.07.2020.

Having regard to the submissions made by the parties and taking into consideration the nature of allegation and the fact that the petitioner has got criminal antecedent, I am not inclined to grant regular bail to the petitioner at this stage, however, the petitioner will renew his prayer for bail after three months from today.

Accordingly, this application is rejected to the extent indicated above.

(Anil Kumar Sinha, J)

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