

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66305 of 2021

Arising Out of PS. Case No.-98 Year-2020 Thana- GARDANIBAG District- Patna

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DHIRAJ KUMAR Son of Butan Prasad @ Bhutan Prasad Resident of
Mohalla - Chitkohra Basti, P.S.- Gardanibagh in the district of Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 08-12-2021 Heard learned counsel for the petitioner and Mr.
Shailendra Kumar Singh, learned A.P.P. for the State.

This is the second attempt of the petitioner within a very short period to obtain bail in connection with Gardanibagh P.S. Case No. 98 of 2020 registered for the offence under Section 25(1-b)a/26/35 of the Arms Act.

Learned counsel for the petitioner submits that he has renewed the prayer for bail because in Gardanibagh P.S. Case No. 85 of 2020, the petitioner has been enlarged on bail by a learned coordinate Bench of this Court vide order dated 14.09.2021 passed in Cr. Misc. No. 14416/2021.

On the other hand, Mr. Shailendra Kumar Singh, learned A.P.P. for the State submits that the grant of bail to the petitioner in Gardanibagh P.S. Case No. 85 of 2020 is not likely to help the petitioner in the present case, inasmuch as in the said case learned coordinate Bench noticed that except confessional



statement of the co-accused there was no other material against the petitioner. So far as the present case is concerned, it has been lodged as a separate case after recovery of huge quantity of arms and ammunitions from the house of the petitioner on the disclosure of co-accused Imran. Altogether four pistols and 23 live cartridges and one empty cartridge were recovered. Petitioner has also got criminal antecedent of at least five cases and out of them three cases are under Sections 302/201 and Section 302/120B I.P.C. read with the provisions of the Arms Act. It is submitted that the petitioner does not deserve privilege of bail.

Having regard to the facts and circumstances of the case, this court is of the considered opinion that in it's order dated 08.07.2021 while rejecting the prayer for bail of the petitioner, this Court has recorded the reasons which are the huge recovery of pistols and live cartridges from the house of the petitioner and his several criminal antecedents of serious and heinous nature. At this stage, this court finds no change of circumstance.

This application is rejected.

Let the trial be expedited.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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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'.

