

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7637 of 2022

Arising Out of PS. Case No.-281 Year-2021 Thana- KALYANPUR District- Samastipur

Vikas Kumar S/o Lal Babu Mahto R/o village- Basudeopur, Ward No. 05,
P.S.- Kalyanpur, District- Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 22-06-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in a case registered for the offences punishable under Sections 25 (1-B)(a), 26, 35 of Arms Act.

Allegedly from the conscious possession of the petitioner a country made loaded pistol was recovered and some mobile phones were also recovered from the possession of petitioner and other co-accused persons.

The main submissions advanced by learned counsel for the petitioner are that in fact an altercation took place in



between the police party and petitioner and co-accused persons due to which present case was falsely prepared to harass the petitioner and the petitioner has been made accused in other three cases also while he is quite innocent and languishing in jail since 02.10.2021.

Learned APP has opposed the prayer for bail.

Having considered the recovery of loaded country made pistol from the conscious possession of this petitioner and also considering his criminal antecedent of three cases which mainly relate to Arms Act, in my view the petitioner does not deserve to bail at this stage, accordingly his prayer for bail stands rejected.

Petitioner may renew his prayer for regular bail after framing of charge before the Court below, if he prefers the said liberty then learned Court below will decide his prayer without being prejudiced with this order.

(Shailendra Singh, J)

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