

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9243 of 2022

Arising Out of PS. Case No.-363 Year-2021 Thana- BALIYA District- Begusarai

GHANSHYAM KUMAR @ GHANSHYAM SINGH S/o Dev Narayan Singh
@ Devendra Singh R/o Village- Shadipur, Karari, P.S.- Ballia, Dist-
Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 29-06-2022 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 State.

Petitioner seeks regular bail in Ballia P.S. Case no.
363/2021 registered for the offence punishable under Sections 399,
402, 411, 413 of the Indian Penal Code and sections 25(1-b)a, 26, 35
of the Arms Act.

Allegedly, as per allegation this petitioner and co-accused
persons assembled for making preparation to commit dacoity and
thereafter police party arrived at the place where said accused
persons assembled and arrested this petitioner and co-accused
persons and from the possession of this petitioner, a loaded country
made pistol was recovered.

The main submissions advanced by the learned counsel



for the petitioner are that no alleged firearm was recovered from the possession of this petitioner and he has been falsely implicated in this case, there is no independent witness of the alleged recovery and only members of raiding party were made witnesses of the alleged recovery.

Learned APP opposes the prayer for bail.

I have heard both sides and perused the FIR as well as seizure of the recovered firearms annexed to the FIR. As per allegation, this petitioner and co-accused persons assembled at the place of occurrence for preparation to commit some offences and from possession of this petitioner and co-accused firearms were recovered and as per para 3 of the petition, there are six criminal antecedent of the petitioner.

Considering these facts, in my view, petitioner does not deserve privilege of bail and accordingly, his prayer for bail stands rejected.

Petitioner may renew his prayer for bail after framing of the charge, if the same has not been done till now.

(Shailendra Singh, J)

s.hassan/-

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