

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10315 of 2022

Arising Out of PS. Case No.-368 Year-2021 Thana- SONEPUR District- Saran

Praduman Kumar S/o Ashok Rai R/o- Village - Pahleja Shahpur Diyara, P.S. -
Sonepur, District - Saran.

... .. Petitioner

Versus

The State Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi, Advocate.

For the Opposite Party/s : Mr. APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 06-07-2022 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 connection with
Sonepur P.S. Case No. 368 of 2021 registered for the offence
under Sections 25(1-b)a, of the Arms Act.

As per allegation from the possession of this
petitioner a loaded country-made pistol was recovered and in
addition to the said fire arm a motorcycle and two mobile
phones were also recovered from the possession of this
petitioner and co-accused persons which are alleged to have
been looted by the petitioner and co-accused person.



The main submissions advanced by learned counsel for the petitioner are that there is criminal antecedent of three cases against the petitioner but in fact in two cases of said antecedent petitioner was remanded after he had been arrested in the present case and accordingly there is criminal antecedent of one case lodged prior to the present case and he has been languishing in jail since 06.07.2021 and the police falsely implicated the petitioner in present case.

Learned APP has opposed the prayer for bail.

Heard both the sides and perused the FIR and the seizure list attached to the FIR. As per the prosecution story, this petitioner and co-accused persons are alleged to be involved in Sonapur case 367 of 2021 lodged under Section 392 of IPC in connection which the Police party nabbed this petitioner and co-accused persons during the course of investigation of the said Sonapur police case. After the arrest from the conscious possession of this petitioner a loaded country-made pistol was recovered and a motorcycle and two mobile phones were also recovered from the possession of this petitioner and co-accused persons and the said articles are alleged to have been looted by this petitioner and co-accused persons. Considering the nature of allegation appearing against the petitioner as well as his



criminal antecedent of 3 cases mentioned in the paragraph No. 3 of his petition, in my view petitioner does not deserve to bail. Accordingly his bail prayer stands rejected.

Petitioner may renew his bail prayer after framing of charge in his case before the Court below. If he avails the said liberty then the learned Court below will decide his regular bail prayer without being prejudiced with present order according to merit.

(Shailendra Singh, J)

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