

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16627 of 2022

Arising Out of PS. Case No.-121 Year-2014 Thana- GAYA KOTWALI District- Gaya

=====

KUNDAN KUMAR PANDEY @ BITTU S/O ASHOK KUMAR PANDEY
R/o Mohalla- Chhotaki Delha, P.S.- Delha. At present renter in the house of
Smt. Asha Sinha W/o Kunkun Sharma, R/o Mohalla- Raj Colony, Maharani
Road, Nai Godam, P.S.- Kotwali, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manish Kumar No2

For the Opposite Party/s : Mr. Mushtaque Alam

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Gaya Kotwali P.S. Case no. 121 of 2014 instituted for the
offence punishable under Sections 25(1-b)a, 26 of the Arms Act.

As per allegation in the FIR, on disclosure made by
arrested accused Kundan Kumar, a raid was conducted in his
house in connection with Police Case No. 09 of 2014 instituted
at Orissa, cash of Rs. 3,45,000/-, a laptop and 22 cartridges of
7.65 M.M. were recovered from there.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no



offence. The Gaya police has not taken any steps for remand of the petitioner in the present case. First case was instituted against the petitioner at Orissa in which during investigation raid was conducted in his house by the Orissa police as well as Gaya police. For the alleged recovery of incriminating articles, present case was lodged by the Gaya Police.

Learned APP appearing for the State has opposed the prayer of bail and submitted that several arms were recovered from the petitioner's house for which no explanation was given by the petitioner. Seizure list supported the prosecution case. During investigation, other witnesses have also supported the prosecution story.

Having heard learned counsel for the parties and taking into consideration that recovery of arms have been made from the house of the petitioner, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

