

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35163 of 2021

Arising Out of PS. Case No.-316 Year-2020 Thana- JAKKANPUR District- Patna

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SONE LAL S/O NARESH MAHTO R/o- Sabalpur-28, P.S.- Sonpur, District-
Saran (Chhapra). A/p- Gosai Tola, Mahto Gali, P.S.- Patliputra, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nityanand Kumar

For the Opposite Party/s : Mr. Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 22-03-2022 Heard Mr. Nityanand Kumar, learned counsel for the
petitioner and learned APP for the State.

Petitioner seeks regular bail in connection with
Jakkanpur PS Case No. 316 of 2020 registered under Sections
399 / 400 / 401 / 402 / 412 / 414 / 120B of the IPC and Section
25 (1-B) a / 26 / 35 of the Arms Act.

Prosecution case in brief is that Police on the basis
of secret information that some miscreants have assembled in
Bank Colony with arms, proceeded towards the place of
occurrence and surrounded the house of one Surendra Prasad
and entered into one room there the persons present in the room
started fleeing away but five of them were arrested and upon



search huge amount i.e. Rs. 22,64000/-, three motorcycles, fire arms, gold locket etc. were recovered from the accused persons and from possession of the petitioner a sum of Rs. 6 lakh, one loaded pistol, one live cartridge and one gold chain with Rudraksh were recovered.

Learned counsel for the petitioner submits that petitioner is in custody since 4-7-2020 and has falsely been implicated in this case along with other accused persons and he has not committed any offence in the manner alleged.

Regard being had to the submissions made by the parties and from perusal of the first information report and the impugned order it appears that there is recovery of one loaded country made pistol, one live cartridge and cash from the possession of the petitioner and during interrogation it has been revealed that petitioner along with other accused persons have earlier committed bank dacoity at Punjab National Bank, Anishabad and the petitioner got a share of Rs. 7,50000/- in the said bank dacoity and out of the said amount Rs. 6 Lakh has been recovered from the bed room of the petitioner and at the instance of the petitioner golden chain with *rudraksh* were also recovered and the petitioner has got criminal antecedent also. As such, I do not find any reason to differ with the *prima facie*



finding of learned Additional Sessions Judge XVI, Patna and I
am not inclined to grant regular bail to the petitioner.

Accordingly the prayer for grant of bail is rejected.

(Anil Kumar Sinha, J)

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