

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31088 of 2021

Arising Out of PS. Case No.-214 Year-2020 Thana- BANMANKHI District- Purnia

MD MOJIB S/O MD YAKUB R/o village- Janki Nagar, Binowa Gram, P.S.-
Janki Nagar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh
For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 10-03-2022 Heard Mr. Bijendra Kumar Singh, learned counsel
for the petitioner and Mr. Vinod Shanker Modi, learned A.P.P.
for the State.

Petitioner seeks regular bail in connection with
Banmankhi P.S. Case No. 214 of 2020, G.R. No. 2771 of 2020
registered for the offence under Section 25 (1-B)A / 26 / 35 of
the Arms Act.

As per the First Information Report during the course
of investigation of a case bearing Banmankhi P.S. Case No. 205
of 2020 registered under Sections 394 / 302 of the I.P.C. read
with Section 27 of the Arms Act, the co-accused / Bablu Kumar
Yadav was arrested along with fire arm who disclosed that they
were fleeing away after snatching money and killing a person.
The name of the petitioner was disclosed that he snatched the



bag of the victim and killed by firing bullet upon him and the pistol has been concealed in bamboo clump. Police based upon the statement given by the co-accused registered the case, proceeded towards the place indicated by the co-accused and recovered one country made pistol and 07 live cartridges.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case on the basis of statement made by the co-accused and he has not committed any offence in the manner alleged . He further submits that no fire arm has been recovered from the conscious possession and / or premises belonging to the petitioner and he is in custody since 17 / 10 / 2020.

On the other hand, learned counsel for the State referring to the case diary and statement made in paragraph- 3 of this petition submits that petitioner is dreaded criminal and altogether 07 cases are pending against him of serious nature and he has also been made accused in Banmankhi P.S. Case No. 205 of 2020 registered under Section 394 / 302 of the I.P.C. and Section 27 of the Arms Act and during investigation of that case fire arm has been recovered at the instance of the co-accused kept by the petitioner.

Regard being had to the submissions made by the



parties, taking into consideration the materials available on record, the fact that petitioner appears to be history sheeter and altogether 07 cases of serious nature are pending against him, as such, I am not inclined to grant regular bail to the petitioner.

Accordingly, the prayer for grant of bail stands dismissed.

However, the petitioner may renew his prayer for bail after six months from today if the trial does not show any progress.

(Anil Kumar Sinha, J)

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