

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30728 of 2022**

Arising Out of PS. Case No.-354 Year-2020 Thana- KANTI District- Muzaffarpur

Bittu Thakur @ Abhishek Kumar Son of Late Yaduvansh Thakur Resident of
Village - Kushi Harpur Ramani, P.S. - Kanti, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

2 25-08-2022 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 Kanti

P.S. Case No. 354 of 2020 registered for the offences under

Sections 25(1-B)a, 26, 25 of the Arms Act.

As per the prosecution story, the petitioner and the co-

accused persons were brought and taken into custody by the

police from West Bengal and during interrogation made by the

police they accepted their involvement in several cases of bank

dacoity, loot etc. and thereafter in following with disclosure

statement made by them including the petitioner a poultry farm



belonging to one namely Putul Thakur was searched from where three country-made pistols along with cartridges were recovered.

The main submissions advanced by the learned counsel Mr. Ravi Ranjan for the petitioner are that at the time of arrest of this petitioner no fire-arm was recovered from his possession, he has been languishing in jail since 24.06.2020 and he has undergone the custody period which is more than half period of the maximum punishment of the alleged offences and in the present case there is no evidence against him and one co-accused namely Rajnish Chaudhary has been granted regular bail by this Court vide order passed in Cr. Misc. No. 16690 of 2021.

Learned APP Mr. Tarun Prasad Mandal appearing for the State has opposed the bail prayer and submitted that the petitioner has remained involved in several serious cases of loot and dacoity and he does not deserve to the privilege of bail at this stage.

Heard both the sides and perused the FIR and the seizure list. As per FIR the petitioner and co-accused persons were arrested from other State and during the investigation they accepted their involvement in several cases of bank dacoity, loot



and murder and the most important evidence going against the petitioner is that after the arrest in following with the disclosure statement made by him and the co-accused persons, three pistols along with cartridges were recovered from a specified place where they used to hide their weapons. Considering the nature of the allegations appearing against the petitioner as well as the criminal antecedents of 10 cases mentioned in the paragraph No. 3 of his petition, in my view the petitioner does not deserve to bail. Accordingly, his bail prayer stands rejected.

The trial Court is directed to expedite the trial of the petitioner and take steps to conclude the same within one year. If the trial of the petitioner is not concluded in the next one year then the petitioner may renew his bail prayer before the Court below and in such situation his prayer will be decided by the Court below according to the merit as per the provisions of Cr.P.C. without being prejudiced with this order.

(Shailendra Singh, J.)

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