

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42651 of 2022

Arising Out of PS. Case No.-80 Year-2018 Thana- KOPA District- Saran

=====

Bholoo Kumar @ Chamcham Singh @ Kanishk Kumar Singh S/O Late
Dharmendra Singh Resident of village- Mukrera, P.S.- Rivilganj District-
Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Adv.

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Kopa P.S. Case No. 80 of 2018 lodged under Sections 399, 402
of the I.P.C. read with Sections 25(1-b)(a), 35 of the Arms Act.

As per the prosecution case, the informant police
upon receiving secret information that accused persons were
assembled and planning for commission of *dacoity*. The police
reached their and caught only one person who disclosed the
name of other accused persons including the petitioner. In
search, revolver with 2 cartridges have been recovered from the
apprehended accused.

Learned counsel for the petitioner submits that the petitioner has not been apprehended from the place of occurrence nor anything recovered from his possession. Counsel submits that his name has figured in this case only due to the confessional statement of the co-accused. Counsel submits that he has not been arrested rather he was remanded in the present case on 13.07.2018 when he was already in custody. Counsel further submits that there are in total 5 criminal cases pending against the petitioner and in one case he has been convicted and in rest cases he is on bail. Counsel further submits that charge has already been framed in this case and P.W. has examined 2 witnesses.

Learned counsel for the State opposes the prayer for bail and submits that the petitioner has not only criminal antecedent rather he is facing conviction also.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner and, therefore, his bail petition is hereby rejected.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

sadique/-

U		T	
---	--	---	--