

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67984 of 2021

Arising Out of PS. Case No.-442 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

DEVANAND KUMAR S/o Bachchu Ray R/o Village - Bhartiya Nagar Ward
No. 26, P.S. - Saharsa (Town), District - Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shiva Shankar Sharma, Advocate

For the Opposite Party/s : Mrs. Asha Devi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with
Bgusarai Town P.S. Case No. 442 of 2021, registered for the
offence punishable under Section 25(1-b)a and 26 of Arms Act,
pending in the Court of learned Chief Judicial Magistrate,
Begusarai.

As per allegation made in the F.I.R. is that two live
cartridges along with one mobile phone has been recovered
from the possession of the petitioner.

Learned counsel appearing on behalf of petitioner
submits that petitioner is innocent and he has falsely been
implicated in this case. Nothing has been recovered from the



possession of the petitioner, rather, the seizure-list has been prepared by the Police in an illegal manner at Police Station, where the petitioner was forced to put his signature. The petitioner is in custody since 15.07.2021.

Learned A.P.P. vehemently opposed the prayer for grant of bail to the petitioner and submits that several cases are pending against the petitioner as would appear from paragraph No.3 of the bail application, if the petitioner is released on bail it will not be in the interest of the society and public at large as the the prayer for bail of the petitioner may be rejected.

Considering the facts and circumstances of the case and nature of allegation as well as the criminal antecedent of the petitioner, I am not inclined to enlarge the petitioner on bail, at this stage. Accordingly, the prayer for grant of regular bail is **rejected.**

However, the petitioner after undergoing further nine months of his custody, if so advised, may renew his prayer for bail.

(Purnendu Singh, J)

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