

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70777 of 2021

Arising Out of PS. Case No.-27 Year-2021 Thana- GAMAHARIYA District- Madhepura

Kanhaiya Kumar @ Kanhaiya Kumar Yadav Son of Late Bal Krishna Yadav
Resident of Village - Paipra Ward No.- 01, P.S.- Sour Bazar (Patarghat O.P.),
District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-04-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Gamharia P.S. Case No.
27 of 2021 corresponding to Sessions Trial No. 166 of 2021,
registered for the offence punishable under Sections 399, 402 of
the Indian Penal Code and sections 25(1-b)a, 26 and 35 of the
Arms Act.

As per the prosecution case, one loaded country made
pistol, seven live cartridges and cash of Rs. 26,000/- have been
recovered from possession of this petitioner.

It is submitted on behalf of the petitioner that no
incriminating article has been recovered from possession of
petitioner. Petitioner is in custody since 18.02.2021.



Chargesheet has already been submitted.

Learned APP however, vehemently opposed the prayer for bail and submitted that petitioner has got criminal antecedents of 13 cases out of which most cases are of Arms Act.

Considering the facts aforesaid and criminal antecedents, I am not inclined to enlarge the petitioner above-named on bail at this stage. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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