

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12486 of 2022**

Arising Out of PS. Case No.-71 Year-2021 Thana- MATIHANI District- Begusarai

Vikki Kumar @ Kundan Ray @ Kunal Ray, son of Sanjay Mahto @ Sanjay Ray, resident of village- Simariya Ghat, Bind Toli, P.S. Barauni, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, APP

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

6 20-02-2023 Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Matihani P.S. Case No. 71 of 2021 registered for the offences punishable under Sections 25(1-AA)/25 (1-B)/A/26/35 of the Arms Act.

As per the prosecution, the police apprehended this petitioner who is an absconder in many cases and thereafter relying upon his confessional statement two rifles and a mascot were recovered from the alleged place.

The main submissions advanced by the learned counsel Mr. Ram Sumiran Rai for the petitioner are that the alleged fire arms were not recovered from the conscious possession of the petitioner rather the same are stated to have been recovered from the house of one namely, Rubi Devi in



following with the statement made by the petitioner before the police, against the petitioner there are criminal antecedents of twelve cases but all these cases were lodged at the direction or instance of concerned Mukhiya with whom the petitioner has enmity. Further submission is that the petitioner has been languishing in jail since 04.06.2021 and his case is at initial stage of trial.

Learned APP Ms. Nirmala Kumari appearing for the State has opposed the bail prayer.

Having considered the long criminal history of the petitioner and mainly the recovery of three fire arms in following with the disclosure statement made by the petitioner as alleged in the FIR, this court is not inclined to accept his bail prayer for the present. Accordingly, his bail prayer stands rejected.

Petitioner may renew his bail prayer after six months, if any significant progress in his trial is not made by the trial court.

(Shailendra Singh, J)

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