

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16589 of 2023

Arising Out of PS. Case No.-390 Year-2022 Thana- GAYA RAIL P.S. District- Gaya

Bittu Prasad @ Sonu Prasad S/O Santosh Prasad Resident Of Village- New
Godown, P.S.- Bangala Asthan, P.S.- Kotwali, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Bharat Bhushan, A.P.P.156

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 10-05-2023 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.

The petitioner seeks regular bail in connection with
Railway Patna Gaya Junction P.S. Case No. 390 of 2022 lodged
under Sections 25(1-b)a, 26 and 35 Arms Act.

As per the prosecution case, *desi katta* with one live
cartridge has been recovered from the possession of the
petitioner.

Learned counsel for the petitioner submits that the
petitioner's name has figured in this case under deep rooted
conspiracy. He further submits that petitioner is in custody since
02.10.2022. He himself admits that nine months have not been

crossed rather approx eight months have been crossed.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present but liberty is hereby granted to the petitioner that he may renew his prayer for bail after completion of ten months in custody before the Court below who upon considering the bail application shall release the petitioner on bail imposing its own conditions so that he may not evade his appearance during trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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