

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18105 of 2023

Arising Out of PS. Case No.-32 Year-2013 Thana- GOPALPUR District- Bhagalpur

PREM KUMAR Son of Mr. Bindeshwari Yadav R/V- Puraina PS- Korma
Dist- Shekhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-05-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Gopalpur (Rangra) P.S. Case no.32 of 2013 registered under sections 420, 419, 467, 468, 471 and 120B of the Indian Penal Code and sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, it is stated by the informant that on information having been received about persons employed by the private security company SIS carrying arms without licence, a checking was conducted. A gun and three cartridges were recovered from the possession of the petitioner but no licence was produced. On the pretext of calling other gunman, the petitioner disappeared.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in the case. From the FIR itself it would transpire that he is working as a private security guard of a private security company namely SIS. He got the informant to talk to the Area Manager who had assured to come on the next date and on the Area Manager appearing he was given notice to produce the original licenses. The petitioner is merely an employee of the security company. He is in custody since 7.11.2022 and has no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegations together with the fact that against the FIR registered in the year 2013, the petitioner absconded for 9 years and was taken into custody only on 7.11.2022, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. In view of the nature of allegation, liberty is granted to the petitioner to renew his prayer for bail after six months.

(Partha Sarthy, J)

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