

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29178 of 2023

Arising Out of PS. Case No.-225 Year-2022 Thana- SITAMARHI District- Sitamarhi

Brijpal @ Brijpal Singh @ Brijpal Jat Son of Dorgaji, Resident of Dhanupura,
P.S.- Kadar Chowk, District - Budaun (Uttar Pradesh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 07-06-2023 Let the defect, if any, be removed within two weeks
from today.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
Sitamarhi P.S. Case No. 225 of 2022 dated 03.04.2022 lodged
under Sections 399, 402, 414 and 120(B) of the I.P.C. read with
sections 25(1-b)a, 26 and 35 of the Arms Act.

4. As per the prosecution, the F.I.R. has been lodged
against 11 named accused persons against whom the allegation
is that they were member of *dacoity* gang to whom police has
caught red handed. Different articles have been recovered from
possession of the different accused persons. One *Khanti* has
been recovered from possession of the petitioner.

5. Learned counsel for the petitioner submits that petitioner is in custody since long i.e. from 04.04.2022. He further submits that there are six criminal cases pending against the petitioner, in three cases he is on bail and in rest three cases he is persuading for bail.

6. Learned counsel for the State opposes the prayer for bail and submits that there are six criminal antecedent of the petitioner and at the time of granting bail, the criminal antecedent of the petitioner may be taken into consideration.

7. In the present facts and circumstances, I am not inclined to grant bail to the petitioner at present. Therefore, bail petition of the petitioner is hereby rejected

8. But liberty is hereby granted to the petitioner that he may renew his prayer for bail after framing of charge and trial Court is directed to release him on bail imposing its own conditions so that he may not evade his appearance during trial.

(Dr. Anshuman, J.)

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