

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46014 of 2022

Arising Out of PS. Case No.-118 Year-2022 Thana- LAXMIPUR District- Jamui

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KESAR KUMAR Son of Mahendra Yadav Resident of Village - Mohanpur,
P.S.- Laxmipur, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailesh Kumar Singh

For the Opposite Party/s : Mr.Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 19-01-2023 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

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

The petitioner seeks bail in connection with Laxmipur
P.S. Case No.118 of 2022 registered for the offences punishable
under Sections 25(1-B)a/26 of the Arms Act.

As per prosecution case, there is alleged recovery of
one loaded pistol from the waist of the petitioner and after unloading
the same seven live cartridges have also recovered. It is further
alleged that from the right pocket of his jeans one loaded magazine
of pistol has recovered and after unloading the same two live
cartridges have also been recovered.

Learned counsel for the petitioner submits that
petitioner is in custody since 25.04.2022 and bears criminal



antecedent of one case which is similar to the present case in which he is on bail. He further submits that seizure list has not been made as per law. He further submits that petitioner is quite innocent and falsely implicated in the case.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that petitioner bears criminal antecedent of similar nature. Learned counsel further submits that there is direct allegation against the petitioner and huge recovery of incriminating articles has been made from his conscious possession.

Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner as well as material available on record, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

However, the learned trial court is directed to conclude the trial within six months from the date of receipt/production of copy of this order. If trial is not concluded within the stipulated period of time, petitioner may renew his prayer of bail.

(Alok Kumar Pandey, J)

vashudha/-

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