

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59191 of 2023

Arising Out of PS. Case No.-259 Year-2023 Thana- SIRDALA District- Nawada

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Sandelal Kumar S/O Ramsawroop Das Resident Of Village- Kendua Gosai
Bigha, P.S- Sirdalla, Distt.- Nawada.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Adv.

For the Opposite Party/s : Mr. Murli Dhar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 08-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sirdalla P.S. Case No. 259 of 2023 lodged under Sections 25(1-
b)a/ 26 of the Arms Act.

3. As per the prosecution case, the F.I.R. has been
lodged against the petitioner alleging that 2 pistols without live
cartridges have been recovered from the possession of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that under deep rooted conspiracy, his name has figured in this
case.

5. Counsel for the petitioner further submits that
petitioner's antecedent is not clean. He submits that earlier case
was not of Arms Act and the informant of the earlier case is
responsible for institution of the present case with a view to



teach him a lesson. He submits that petitioner is in custody since 27.06.2023

6. Learned counsel for the State opposes the prayer for bail and submits that petitioner is in custody just for 4 months and 2 desi pistols have been recovered from his possession.

7. Upon specific query whether charge has been framed or not. counsel submits that as per his knowledge, charge has not been framed till date, but charge sheet has been submitted in this case.

8. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected.

9. However, liberty is hereby granted to the petitioner that he may renew his prayer for bail 3 months after framing of charge. Upon move by the petitioner before the trial court after the above mentioned period, the trial court is directed to release him on bail imposing condition so that he may not evade his appearance during trial.

(Dr. Anshuman, J.)

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