

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56277 of 2022

Arising Out of PS. Case No.-101 Year-2022 Thana- SHYAMPUR BHATHA District-
Sheohar

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Reyaz Azam Ansari @ Riyaz Azam S/O Azam Ansari Resident of Village-
Majhriya, P.S.- Kateya, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 15-02-2023 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
Shyampur Bhataha P.S. Case No. 101 of 2022 lodged under
Sections 399, 402 of the I.P.C. read with Sections 25 (1-B) a /
26/ 35 of the Arms Act.

As per the prosecution case, the petitioner is named
accused and the recovery of one country made loaded pistol has
been made from the possession of the petitioner. Upon police
search, some of the accused persons arrested and some fled
away and disclosed that they were planning for dacoity.

Learned counsel for the petitioner submits that only petitioner got arrested and rest 2 accused persons fled away. Counsel submits that one country-made loaded pistol, one motorcycle and a mobile was recovered from the possession of the petitioner. Counsel submits that petitioner is in custody since 27.05.2022 having clean antecedent and charge sheet has already been submitted.

Learned counsel for the State opposes the prayer for bail. Upon specific query whether charge has been framed or not, counsel submits that charge has not been framed.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected but liberty is hereby granted to the petitioner that he may renew his prayer for bail after framing of charge.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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