

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64696 of 2023

Arising Out of PS. Case No.-589 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Shailesh S/O Achhchhlal Sahani Resident Of Village Majhar, Ps-
Turkauliya, Dist- East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Turkauliya P.S. Case No. 589 of 2023 lodged under Section 393
of the I.P.C. read with Sections 25(1-b)a/26/35 of the Arms Act.

3. As per the prosecution case, the F.I.R. has been
lodged against 3 named accused persons including the present
petitioner against whom allegation is to attack on the informant
with a view to snatch his tractor, but subsequently upon chase
by the local persons, the accused persons including the present
petitioner were apprehended. It comes in the seizure list that
from the petitioner's possession, one *desi pistol*, 2 mobile
phones with sim card were recovered.

4. Learned counsel for the petitioner submits that one co-accused person, namely, Mukhlal Sah has been granted bail by the Co-ordinate Bench of this Court vide order dated 11.08.2023 passed in Cr. Misc. No. 50471 of 2023.

5. Counsel further submits that petitioner is in custody since 23.05.2023.

6. Learned counsel for the State opposes the prayer for bail.

7. Upon perusal of the bail order granted by the Co-ordinate Bench of this Court, it transpires that the said Mukhlal Sah has no criminal antecedent whereas the present petitioner has 2 criminal antecedent. As such, this Court is 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.

(Dr. Anshuman, J.)

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