

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.125 of 2023**

Arising Out of PS. Case No.-805 Year-2022 Thana- KHAGARIA District- Khagaria

RAVI KUMAR @ GOLU @ GOLU KUMAR Son of Jitendra Pandey @
Jitendra Panday Resident of Hospital Road, Wad no. 6, Forbesganj, Dist-
Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Mandal, Advocate

For the Opposite Party/s : Mrs. Sharda Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

3 04-05-2023 1. Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks regular bail in connection with
Khagaria(Chitragupt Nagar) P.S. Case No. 805 of 2022, dated
05.08.2022 registered for the offences punishable under
Sections 341, 307, 353, 379, 279, 338, 411 of the Indian Penal
Code and Sections 25(1-b)a, 26 of the Arms Act.

3. As per the prosecution, police personnel on secret
information seized the alleged car, apprehended this petitioner
and upon making search one country-made pistol loaded with
one live cartridge were recovered. Further it is alleged that upon
making search of the petitioner's house other incriminating
articles were also recovered.



4. The main submissions advanced by petitioner's counsel are that the petitioner is a resident of Araria District and he runs a motor garage so the equipments such as drill machine, cutter machine, screwdriver(pechcus), tubeless tyre, puncture repairing machine, master key, iron rinch, drill rinch etc, which are stated to have been recovered from his house, are relevant to his profession but the police on account of having enmity falsely implicated this petitioner in this case and he was simply traveling in the alleged vehicle from which he was apprehended and the driver was an other person who managed to escape and against him the investigation has been completed and he had no concern with the alleged recovered materials and in actual only one mobile phone was recovered from his conscious possession when he was apprehended and he has been languishing in jail since 06.08.2022.

5. Learned APP appearing for the State opposes the prayer for bail.

6. Heard both the sides and perused the FIR and the case diary of this case. As per prosecution's allegation, when the concerned police officer, who was the investigating officer in Chitragupt Nagar P.S. Case No. 576 of 2022, suspected the petitioner to have possession over the stolen vehicle concerned



to the said case then he started chasing him and thereafter at a particular place the said vehicle was found and then one police constable was deputed there and after that as per prosecution's allegation the petitioner made an attempt to escape but in that course caused motor accidents to several persons including some police personnel and finally the police managed to caught hold him and from his possession one loaded country-made pistol was recovered and thereafter his house was searched from where several equipments such as master key, drill machine, cutter machine, screw driver etc were recovered, which are relevant in respect of the offences of vehicle theft. The allegation appearing against the petitioner is serious in nature and he is admittedly accused in nine more other cases, in my opinion it is not a fit case for bail to the petitioner. Accordingly, petitioner's prayer for bail stands rejected.

7. The petitioner may renew his prayer for bail after nine months, if no significant progress is made in his trial.

(Shailendra Singh, J.)

maynaz/-

U		T	
---	--	---	--

