

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12729 of 2024

Arising Out of PS. Case No.-711 Year-2023 Thana- BELAGANJ District- Gaya

Mukesh Kumar @ Mukesh Sharma son of Late Kedar Singh @ Kedar
Sharma R/o- Brahmani Ghat Bishnupad Mul Vill- Kaji Fatehpur Ps- Belaganj
Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Archana Sinha, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

4 25-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with Belaganj P.S. Case No. 711 of 2023 registered for the offence under Section 414 IPC and Sections 25(1-b)(a), 26 and 35 of the Arms Act.

3. As per the allegation in the FIR, it is a case of recovery of one Honda Deluxe Motorcycle, two country-made pistols, 17 live cartridges, one empty cartridge and case of Rs. 25,000/- with five mobiles from the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. He further submits that the petitioner is in custody since 29.11.2023.



5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. On perusal of the FIR, seizure list, case diary and impugned order dated 03.01.2024, it appears that on the confessional statement of co-accused and from the records it is evident that two motorcycle, two country made pistols, 17 live cartridges and cash of Rs. 25,000/- and other articles recovered from the conscious possession of the petitioner in his presence and the eye witness also supported the case against the petitioner, considering the above facts and circumstances and the materials recovered from the conscious possession of the petitioner having five criminal antecedents and seriousness of the case, I am not inclined to grant to the petitioner.

7. Accordingly, the prayer for bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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