

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11759 of 2023

Arising Out of PS. Case No.-611 Year-2022 Thana- MADHAURAH District- Saran

VIVEK KUMAR @ CHUNU BABA SON OF RAJ KISHORE SINGH R/O
VILLAGE- MARAURHAKHURD, VAISHYA TOLA, P.S.- MARAURHA,
DISTRICT- SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary
For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

7 30-01-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 467, 468, 471, 413, 414, 420 and 120(B) of the Indian Penal Code and sections 25(1-b)a, 26 and 35 of the Arms Act.

3. Prosecution case relates to recovery of two country made pistols, three live cartridges and mobile from possession of the petitioner and from his house one stolen motorcycle was recovered.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this



case. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. Petitioner is languishing in judicial custody since 18.09.2022.

5. The application for bail is opposed by learned APP for the State and submitted that petitioner is habitual offender as 17 criminal cases are pending against him. Petitioner was arrested on spot and from his conscious possession arms were recovered. During investigation, several witnesses have supported the prosecution story.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial court is directed to expedite and conclude the trial.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

