

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23956 of 2024

Arising Out of PS. Case No.-40 Year-2023 Thana- DAUDPUR District- Saran

Dhiraj Tiwary S/O Late Anil Tiwary R/O Village- Ramgarh, P.S- Siswan,
(CHAINPUR O.P.), Distt.- Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Advocate
For the State : Mr.Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 20-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is the second attempt for bail of the petitioner
as earlier such prayer was rejected by order dated 19.08.2023 in
Cr. Misc. No. 49964 of 2023.

3. The petitioner seeks bail in connection with
Daudpur P.S. Case No. 40 of 2023 registered for the offence
under Sections 25(1-b)a, 26, 35 of the Arms Act.

4. The following order was passed on 19.08.2023 in
Cr. Misc. No. 49964 of 2023:

*“Heard the learned counsel for the
petitioner and learned APP for the State.*

*2. The petitioner seeks bail in
connection with Daudpur P.S. Case No. 40 of
2023 registered for the offence under Sections
25(1-b)a, 26, 35 of the Arms Act.*

3. As per the prosecution case, the



petitioner was caught red handed while he was fleeing away after committing loot in a Kirana shop. He is also said to have fired upon one person. There is recovery of country made pistol from the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is in custody since 05.02.2023, he is quite innocent and has not committed any offence.

5. Learned A.P.P. has vehemently opposed the prayer for bail and has submitted that this petitioner has three criminal antecedents.

6. Considering the allegations levelled against the petitioner and the criminal antecedents, I am not inclined to grant bail to the petitioner.

7. Accordingly, this application is dismissed.

8. The Court below is directed to expedite the trial of the petitioner.”

5. In these circumstances, no ground for review of the earlier order dated 19.08.2023 is made out.

6. Accordingly, this application is again dismissed.

(Sandeep Kumar, J)

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