

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25053 of 2024

Arising Out of PS. Case No.-898 Year-2022 Thana- GAYA KOTWALI District- Gaya

VICKY @ GAZANI @ WHAMSHAD @ SHAMSHAD S/O BAUDHA
MIAN @ KHALIQUE R/O TEKARI, AT PRESENT RESIDENT OF
KATHOKAR TALAB, P.S- KOTWALI, DISTT.- GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr. Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 11-07-2024 Heard learned counsel for the petitikoner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections-25(1-b)A, 26 of the Arms Act
and Section 4/5 of Explosive Substances Act.

3. Allegedly, on secret information, the informant
along with police personnel raided the place of occurrence.
Seeing the police party, a person started to flee away who on
chase, was apprehended and disclosed his name as the
petitioner. On search, one loaded pistol and one loaded
magazine were recovered from possession of the petitioner
whereas a mobile, one loaded country-made Katta and two
cartridges were recovered under the bed of the petitioner.



4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Nothing was recovered from his possession. As a matter of fact, a number of cases are pending against him and that was the reason, he was implicated in this case. He is in custody since 22-12-2022.

5. On the other hand, Sri Shailendra Kumar, learned APP has opposed the prayer for bail and submitted that nine cases are pending against the petitioner.

6. It appears that the petitioner is under custody since 22-12-2022 but the trial is proceeding at the snail pace.

7. Considering the above-mentioned facts and circumstances, I am not inclined to grant bail to the petitioner and accordingly, prayer for bail of the petitioner in connection with Kotwali P.S. Case No. 898 of 2022 is rejected.

8. However, if the trial is not concluded within a period of six months, the petitioner may renew his prayer for bail.

(Nawneet Kumar Pandey, J)

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