

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38277 of 2024

Arising Out of PS. Case No.-294 Year-2023 Thana- SATHI District- West Champaran

Nirbhay Giri Son of Jhapas Giri Resident of village - Paroraha, P.S.- Sathi,
District - West Champaran. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 23-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sathi Police Station Case No. 294 of 2023 registered for the offence punishable under Sections 341, 323, 353, 307 and 34 of the IPC and Sections 25(1-b)a, 26, 27 and 35 of the Arms Act and Section 8, 21(b) of Narcotic Drugs and Psychotropic Substances Act.

3. As per the prosecution case, the allegation against the petitioner is that he alongwith other co-accused person demanded extortion money from the Panchayat representatives and a loaded country-made pistol of 315 bore and an unloaded cartridge was also recovered from their possession.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He further submits that no incriminating article has been recovered from the conscious possession of the petitioner. He further submits that the



petitioner is in custody since 16.12.2023.

5. However learned APP for the State oppose the prayer for bail of the petitioner.

6. On perusal of the FIR, seizure list and impugned order dated 24.04.2024, it appears that on the basis of self statement of informant FIR was registered against two accused persons including the present petitioner. It also appears that petitioner was arrested on spot and from his possession one loaded country made pistol and one alive cartridge recovered in presence of two independent witness. It also appears that petitioner has got two criminal antecedents.

7. Considering the aforesaid facts and circumstances of the case and serious allegation levelled against the petitioner, I am not inclined to grant bail to the petitioner.

8. Prayer for regular bail of the petitioner is hereby rejected.

9. However, learned trial Court is directed to conclude the trial expeditiously.

(Ramesh Chand Malviya, J)

saaurabhkr/-

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

