

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64250 of 2023

Arising Out of PS. Case No.-149 Year-2023 Thana- KALYANPUR District- Samastipur

Prabhat Chaudhary @ Prabhat Kumar Son Of Sanjay Chaudhary Resident Of
Village- Nima Chakhaidar, Ps- Chakmehasi, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Arvind Kumar Pandey (App)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 22-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case instituted for the offence under Sections 414, 420, 467, 468, 471/34 of the Indian Penal Code and Sections 25 (1-b)a, 26 and 35 of the Arms Act.

3. As per allegation in the FIR, on getting secret information about transportation of illegal liquor in huge quantity by a truck, police party started vehicle checking. In the meanwhile, police intercepted a truck from which 12-13 persons started to escape but out of them, three miscreants including the petitioner were apprehended on spot. On search, one country made pistol, four cartridges and a mobile phone were recovered.

4. It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case. On the basis of secret information, police arrested the petitioner and false firearm recovery is said to be recovered from his possession. But in real, the said recovery is planted by the police officials. Petitioner is languishing in judicial custody since 18.5.2023.

5. The application for bail is opposed by learned APP for the State and submitted that petitioner is habitual offender as he has thirteen criminal antecedents. Petitioner has used the forged number plate of the vehicle to commit the crime. 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			
---	--	--	--

