

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68960 of 2024

Arising Out of PS. Case No.-48 Year-2024 Thana- SIKTA District- West Champaran

1. Sk. Sunad Son of Late Meer Hasan Resident of Village-Jhumka Behra, P.S.- Sikta, West Champaran, Pin Code-845307
2. Zafrul Hassan Son of Sk. Sunad Resident of Village-Jhumka Behra, P.S.- Sikta, West Champaran, Pin Code-845307
3. Safir Alam Son of Sk. Sunad Resident of Village-Jhumka Behra, P.S.- Sikta, West Champaran, Pin Code-845307

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Achhaibar Singh, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 25-10-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend arrest in Sikta P.S. Case No. 48 of 2024, registered under Sections 147, 148, 149, 224, 225, 341, 342, 323, 332, 333, 307, 353, 354(B), 504, 506 of the Indian Penal Code and Section 25(1-A) and 35 of the Arms Act.

3. The prosecution case, in short, is that, 12 bore live cartridges have been recovered from the house of co-accused Shamim alam.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Learned counsel for the petitioners also submits



that the alleged recovery has been made from the house of co-accused Shamim Alam. The petitioners have got no concern with the alleged recovery of arms. There is general and omnibus allegation levelled against the petitioners. Petitioner no.1 has got eight criminal antecedents, petitioner no. 2 has got six criminal antecedents and petitioner no. 3 has got seven criminal antecedents. Learned counsel for the petitioners further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 21.09.2024 passed in Cr. Misc. No. 49656 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners. Learned APP further submits that petitioner no.1 has got eight criminal antecedents, petitioner no. 2 has got six criminal antecedents and petitioner no. 3 has got seven criminal antecedents. Hence, the petitioners do not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and criminal antecedents of the petitioners, this Court is not inclined to grant bail to the petitioners.

7. Prayer is rejected.

(Rudra Prakash Mishra, J)

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