

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64724 of 2024

Arising Out of PS. Case No.-135 Year-2023 Thana- KARPURIGRAM District- Samastipur

Kishan Kumar S/o Jitendra Giri R/o Village - Adharpur, Jogiamath, Ps-
Kapurigram, District- Samstipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Karpurigram P.S. Case No. 135 of 2023 dated 17.11.2023,
lodged under Sections 399, 402 of the Indian Penal Code read
with sections 25(1-b)a/26/35 of the Arms Act.

3. As per the prosecution case, FIR has been lodged
against six named accused persons including the present
petitioner. The allegation against the present petitioner is that
one pistol and live cartridges have been recovered from his
possession.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel



submits that charge has already been framed in this case and trial has commenced. Counsel further submits that other co-accused persons have been granted bail by this Court *vide* orders dated 22.02.2024 and 08.05.2024 passed in Cr. Misc. Nos. 10970 of 2024, 19364 of 2024 & 25954 of 2024 respectively. Counsel also submits that the criminal antecedent of the petitioner is not clean as there are seven criminal cases pending against him in which in four cases, he is on bail and in rest three cases, he is persuading for bail. The petitioner is in custody since 17.11.2023 in the present case.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the case of the petitioner with other co-accused persons to whom bail has been granted is not similar as the criminal antecedent of the present petitioner is more i.e. seven, whereas, the criminal antecedent of the co-accused persons to whom bail has been granted is 3/4.

6. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner is hereby rejected.

8. It is hereby directed to the Trial Court to expedite the trial as early as possible. In case, trial shall not be concluded



within nine months, then liberty shall be granted to the
petitioner that he may renew his prayer for bail.

(Dr. Anshuman, J)

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