

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77647 of 2024

Arising Out of PS. Case No.-87 Year-2024 Thana- BHAGWANPUR District- Begusarai

Nitish Kumar @ Mantri @ Alexander S/o Ram Bilash Mahto R/O- Augan
P.S- Bhagwanpur, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr Ansul, Adv.
		Mr. Anuj Kumar, Adv.
For the Opposite Party/s :		Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-11-2024 Heard Mr. Ansul, learned counsel for the petitioner
and Mr. Bharat Bhushan, learned APP for the State.

2. The petitioner is in judicial custody in connection with Bhagwanpur P.S. Case No.87 of 2024 for the offences punishable under Sections 399, 400, 402 of the Indian Penal Code and Section 25(1-B)(a), 26, 35 of the Arms Act lodged on 01.04.2024 by the informant, Shailendra Kumar.

3. As per the prosecution story, the police upon secret information raided a place and upon search of the accused present there, from the pocket of this petitioner, a loaded country made pistol besides live cartridges, a mobile phone as also Rs. 1 Lakh were recovered/seized. Further, from Ravi Ranjan, there is recovery of loaded country made pistol besides



live cartridges. On search of another accused, Sunny Kumar Singh, there is recovery of one loaded pistol and live cartridges. Upon query, the petitioner informed about the amount/looted money from HDFC bank. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that only on his confessional statement, the police has made out a case, there is nothing on record to show that there was any loot in the HDFC bank, Begusarai.

5. Learned APP, Mr. Bharat Bhushan has taken this Court to paragraph-3 to show that this petitioner has criminal antecedent of same nature inasmuch as he is an accused under Section 395 of the IPC in two cases besides Section 399 and 397 IPC in each case.

6. Considering the submissions put forward by the parties as also criminal antecedents of the petitioner coupled with the recovery/seizure that has been made, this Court is not inclined to extend relief to the petitioner. Accordingly, the bail application stands rejected.

(Rajiv Roy, J)

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