

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80124 of 2023

Arising Out of PS. Case No.-37 Year-2022 Thana- SURYAGARHA District- Lakhisarai

FAIZUL HODA S/O MOTIRUL HODA @ MONIRUL HODA R/O RAHAT
ROAD KARIM CHOK CHHAPRA, P.S- CHHAPRA TOWN, DIST.-
SARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajnish Chandra

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 08-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Surajgarha P.S. Case No. 37 of 2022 registered for the offences
punishable under Sections 414/401, 120(B) of the IPC and Section
25(1-B)a, 26 and 35 of the Arms Act.

3. As per prosecution case, petitioner is said to have
apprehended on the spot and from his possession one loaded country
made pistol was recovered and after unloading the same five live
cartridges were recovered.

4. Learned counsel for the petitioner submits that
petitioner is in custody since 11.02.2022 and bears criminal
antecedent of two cases. He further submits that petitioner is quite
innocent and has committed no offence as alleged in the FIR.



5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that there is earlier case of similar nature against the petitioner in Senari P.S. Case No. 172 of 2021 registered under Section 25b-a,/26 and 35 of the Arms Act and the petitioner does not deserve bail.

6. Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner as well as material available on record, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

7. However, the trial court is directed to conclude the trial of the petitioner within six months from the date of receipt/production of copy of this order, by putting the trial on day to day basis. However, if the trial is not concluded within six months, petitioner may renew the prayer for bail.

(Alok Kumar Pandey, J)

vashudha/-

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

