

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81719 of 2023

Arising Out of PS. Case No.-207 Year-2023 Thana- ASHTHAWAN District- Nalanda

Kunal Pandey @ Baba, Son Of Raj Kishore Pandey @ Kishore Pandey, R/O
Village- Taraura, P.S.- Daniyawar, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Krishna Jha, Advocate

For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Asthawan P.S. Case No. 207/2023, lodged on 11.08.2023 under
Section 414 of the Indian Penal Code and Section 25 (1-B)a, 26
of the Arms Act.

3. As per the prosecution case, the FIR has been
lodged against the sole petitioner alleging therein that one
country-made pistol along with one live cartridge has been
recovered from his possession.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offense. In fact, the
police have made him accused in this case of conspiracy as the
petitioner is accused in two more criminal cases. The
chargesheet has already been filed and the petitioner is in



custody since 12.08.2023.

5. Learned counsel for the State opposes the prayer for bail and submits that the antecedent of the petitioner is not clean. Moreover, illegal arms have been recovered from his conscious possession and he is in custody since 12.08.2023.

6. Upon specific query from the counsel for the petitioner whether the charge has been framed or not, learned counsel for the petitioner submits that as per his knowledge, the charge has not been framed.

7. In the present facts and circumstances, I am not inclined to grant regular bail to the petitioner.

8. Accordingly, the prayer for regular bail of the petitioner in connection with Asthawan P.S. Case No. 207/2023, pending before the learned ACJM, Biharsharif (Nalanda) is hereby rejected.

9. However, the petitioner may renew his prayer for bail two months after framing of charge.

10. With this observation, the bail application stands disposed off.

(Dr. Anshuman, J)

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