

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83558 of 2023

Arising Out of PS. Case No.-813 Year-2023 Thana- KHAJANCHI HAT District- Purnia

Bittu Singh @ Aniket Kumar Singh @ Aniket Singh Son of Late Pankaj Singh, Resident of Village- Sarsi, P.S.- Sarsi, Dist- Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak, Advocate.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks regular bail in connection with K. Hat P.S. Case No.813 of 2023, registered for the offences punishable under Sections 399, 402 of the Indian Penal Code read with Sections 25(1)(a), (1-A), (1-AA), (1B), 26, 29, 35 of the Arms Act.

3. As per the prosecution case, on secret informant that petitioner called 8-10 persons to his house and prepared a plan for committing dacoity in the Jewelry shop, the raid was conducted by the Police. Eight accused persons including the petitioner tried to escape but were arrested on the spot. On search of the house of the petitioner in presence of two witnesses available there, two loaded pistol with cartridges in its magazine, 37 live cartridges and one 0.315 bore rifle with its 28 live cartridges (licensee rifle in the name of Rana Mukesh Singh) were recovered which were



kept secretly behind the sofa kept in drawing room of the house of petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case and nothing has been recovered from the conscious possession of petitioner and the seizure list has not been prepared at the place of occurrence and seizure list witness are not the member of the house of petitioner. Learned counsel submits that although petitioner has criminal antecedent of 17 cases but he is on bail in all the cases. He further submits that four co-accused persons namely Raja @ Rocky, Imran, Kripa Shankar Chaudhary and Md. Manna Ansari have been granted bail by learned C.J.M., Purnea. The petitioner is in custody since 07.07.2023.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner and submits that there is huge recovery of arms with live cartridges from the drawing room of the petitioner and he is a habitual criminal since 2006 who is involved in 17 criminal cases including the cases of murder, attempt to murder, robbery etc.

6. Having heard learned counsel for the parties and considering the facts and circumstances, nature of allegation against the petitioner, recovery of huge quantity of arms and live cartridges from the house of the petitioner, and 17 criminal antecedents against the petitioner which includes the heinous



offences, this Court is not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of petitioner in connection with K. Hat P.S. Case No.813 of 2023 is rejected.

(Sunil Dutta Mishra, J)

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