

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).2059/2006

(From the judgement and order dated 24/02/2006 in CRLM No. 14349/2005 of The
HIGH COURT OF PATNA)

JITENDRA SWAMI

Petitioner(s)

VERSUS

STATE OF BIHAR

Respondent(s)

(With appln(s) for bail and office report)

Date: 24/11/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.K. SEMA

HON'BLE MR. JUSTICE P.K. BALASUBRAMANYAN

For Petitioner(s)

Mr. P.S.Mishra, Sr. Adv.

Mr. Alok Kumar, Adv.

Mr. T. Harshwardhan, Adv.

Mr. U. Mishra, Adv.

Mr. D.K. Jha, Adv.

For Respondent(s)

Mr. Gopal Singh, Adv.

Mr. Nishakant Pandey, Adv.

Mrs. Vimla Sinha, Adv.

Mr. Anukul Raj, Adv.

UPON hearing counsel the Court made the following

O R D E R

Leave granted.

The Appeal is dismissed.

[SUMAN WADHWA]

[ANAND SINGH]

COURT MASTER

COURT MASTER

Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. OF 2006

(Arising out of SLP(Crl.)No.2059/2006)

JITENDRA SWAMI .. APPELLANT

vs.

STATE OF BIHAR .. RESPONDENT

O R D E R

Leave granted.

In this appeal the appellant assailed the order of the High Court dated 24.2.2006 refusing to grant bail to the appellant in connection with Maharajganj Police Station case No. 22/05 under Section 25 (1-B) A, 26 and 35 of the Arms Act.

While refusing to grant bail the High Court referred to the arms seized from the possession of the appellant including two country made 315 bore rifles with

ammunitions. Pursuant to the notice counter on behalf of the respondent has been filed highlighting that the appellant is also involved in series of cases apart from the aforesaid police station case No. 22/05. These are:-

a) Maharajganj Police Station Case No.77/2004
dated 28.9.2004 under Section
147/323/341/448/353/506 of Indian Penal Code;

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b) Maharagganj Police Station Case No.14/2000
dated 17.2.2000 under Section 302/379 of Indian Penal
Code and 27 of the Arms Act;

c) Maharajganj Police Station Case No.
149/1994 dated 4.11.1994 under Section
147/148/323/448 of Indian Penal Code and 27 of the Arms
Act;

d) Siwan P.S.Case No.12/1992 dated
21.01.1992 under section
147/148/149/324/326/327332/333/353 of Indian Penal
Code and 27 of the Arms Act;

Considering these circumstances we are of the view that the appellant does not deserve regular bail. There is no infirmities in the order passed by the High Court under appeal. this appeal is accordingly dismissed.

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J. (H.K. SEMA)

.....J.

(P.K. BALASUBRAMANYAN)

NEW DELHI ;

NOVEMBER 24, 2006.