

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22620 of 2016

Arising Out of PS.Case No. -7 Year- 2016 Thana -BALIA District- BEGUSARAI

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Md. Irshadujjaman @ Irshadujjama Son of Shamshadujjama Resident of
Vilage Lakhminia, PS Ballia, District Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar

For the Opposite Party/s : Mr. Subash Chandra Mishra

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 25-05-2016

Heard the learned counsel for the petitioner and the
learned A.P.P representing the State.

The petitioner seeks bail in connection with Balia
P.S. Case No. 07 of 2016 (G.R. No. 76 of 2016) registered for the
offences punishable under Sections 25(1-b)a, 26 and 35 of the
Arms Act.

Allegedly, from possession of the petitioner, one
pistol loaded with magazine having six live cartridges and one
more live cartridge were recovered and from the possession of
other co-accused also, firearm was recovered.

Submission is of false implication and that the
petitioner is suffering in custody since 08.01.2016, he has been
made victim of circumstances, nothing has been recovered from
his conscious possession and, as such, he deserves sympathetic

consideration to which the learned APP opposes by submitting that the petitioner has got criminal antecedent as he is an accused also in Balia P. S. Case No. 436 of 2014 under Section 25(1-b)a, 26 and 35 of the Arms Act besides one more other case.

In the facts and circumstances stated above, considering the alleged recovery and criminal antecedent of the petitioner, I am not inclined to enlarge the petitioner on bail and accordingly his prayer stands rejected in connection with Balia P.S. Case No. 07 of 2016 (G.R. No. 76 of 2016) pending in the Court of learned Additional Chief Judicial Magistrate IV, Begusarai.

However, let the trial be expedited and concluded preferably within six months from the date of receipt or production of a copy of this order after keeping the same on priority basis.

(Jitendra Mohan Sharma, J)

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