

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5482 of 2016

Arising Out of PS.Case No. -523 Year- 2015 Thana -HILSA District- NALANDA
(BIHARSHARIFF)

=====

Sanjay Mahto @ Sanjay Kumar Son of Late Ganauri Mahto, Resident of
Village- Arpa, Police Station- Hilsa, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-03-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case
instituted under Sections 25(1-b) a and 26 of the Arms Act.

Prosecution case is that on getting information, informant
along with other police officers had raided the house of petitioner
and recovered 14 piece cartridges of 0.333 bore under the bed of
the room. Petitioner managed to flee away from there.

It is submitted on behalf of the petitioner that he has
falsely been implicated in the present case. In absence of the
petitioner search was made in the house of the petitioner. There is
no compliance of Section 100 of the Code of Criminal Procedure.
Nothing has been recovered from conscious possession of this
petitioner.

On behalf of the State, it is submitted that 14 piece
cartridges are said to have been recovered from the house of the
petitioner.

Considering the aforesaid facts and circumstances, I am
not inclined to grant anticipatory bail to the petitioner, same is
rejected.

Any how, if petitioner surrenders in the court below, i.e., learned A.C.J.M., Hilsa No. 1 (Nalanda), in connection with Hilsa P. S. Case no. 523 of 2015/G.R. no. 2120 of 2015 within a period of six weeks from the date of receipt of a copy of this order and pray for regular bail, same shall be considered and disposed of preferably on the same day on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

sudip/-

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