

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41666 of 2013

Arising Out of PS.Case No. -307 Year- 2012 Thana -BIHTA District- PATNA

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Dikesh Kumar @ Vikash Kumar, Son of Devendra Prasad Singh, Resident of
Village - Tikaitpur P.S.-Bihata Dist.-Pata

.... Petitioner

Versus

The State of Bihar

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Ansarul Haque, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 11-08-2016

The petitioner has been made a named accused in
Bihata P.S. Case No. 307 of 2012 registered under various sections
of the Arms Act.

According to the FIR, a huge cache of firearms was
recovered from the house of the petitioner on 26th September, 2012.
On investigation, the allegations made in the FIR were found to be
true.

On perusal of the police report submitted in the court,
vide order dated 02.05.2013, the learned Additional Chief Judicial
Magistrate, Danapur took cognizance of the offence under Sections

25(1-A), 25(1-AA), 25(1-B)(a), 26 and 35 of the Arms Act. The aforesaid order dated 02.05.2013 is under challenge in the present application.

I have perused the allegations made in the FIR. From perusal of the impugned order passed by the court, it would be evident that while passing the order, the learned Additional Chief Judicial Magistrate has looked into the police report, case diary and supplementary case diary submitted in the case and found a *prima facie* case to be made out.

Having regard to the recovery of huge cache of firearms and cartridges as disclosed in the FIR and the seizure list from the house of the petitioner, I see no illegality in the impugned order.

Accordingly, the application, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	-----
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