

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66 of 2017

Arising Out of PS.Case No. -163 Year- 2016 Thana -MEERGANJ District- GOPALGANJ

=====

Abash Ansari S/o Alaudin Ansari Resident of Village- Kararia Thakurai,
P.S.- Fulwaria, District- Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 01-03-2017 Heard learned counsel for the petitioner and learned
APP appearing on behalf of the State.

Petitioner already in custody in connection with
Mirganj P.S. Case No.163 of 2016 is an accused in a case
registered under Sections 399, 402 and 414 of the Indian Penal
Code, Sections 25(1-b) a/26/35 of the Arms Act as well as
Sections 20/22 of the N.D.P.S. Act.

Allegation in brief is that police at a lonely place
receiving the information raided there and apprehended some
miscreants and recovered from some of them pistol and cartridges
and from possession of this petitioner also a loaded country made
pistol was recovered. 3.800 kgs. *Ganja* was also recovered from
the Bolero vehicle in which they had come there.

Submission is that only a country made pistol from



the possession of the petitioner was recovered and *Ganja* was not recovered from his conscious possession and has been in custody in this case since 24.06.2016 and another co-accused, namely, Balister Yadav @ Register Yadav from whose possession only a live cartridge was recovered has been granted bail by a coordinate Bench of this Court vide Cr. Misc. No.40893 of 2016.

Having considered the recovery of a loaded country made pistol from the possession of the petitioner, 3.800 kgs. of *Ganja* from the vehicle they had come as also criminal antecedent of the petitioner of similar nature, the prayer of bail of the petitioner is refused at this stage in connection with Mirganj P.S. Case No.163 of 2016, pending in the court of the learned Sessions Judge, Gopalganj.

The petitioner may however, renew his prayer for bail after six months.

(Arun Kumar, J.)

S.Kumar/-

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

