

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24329 of 2017

Arising Out of PS.Case No. -287 Year- 2016 Thana -MUNGER MUFFASIL District- MUNGER

1. Banti Sharma, son of Naresh Sharma, resident of village- Suturkhana,
P.S.- Muffasil, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 25-07-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Muffasil P.S.
Case No.287 of 2016 instituted for the offence under Section(s)
25(1-A), 25(1-AA), 25(1-b) A/25(1-AC), 26(i)(ii)/35 of the Arms
Act pending in the Court Sub-Divisional Judicial Magistrate,
Munger.

There is allegation that the informant got
information that a Mini Gun Factory is running in the house of
this petitioner. The police raided the house of the petitioner and
recovered several semi manufactured fire arms as well as
instruments for making fire arms. The police prepared seizure
list. The petitioner managed to run away. Seizure list is enclosed
with the First Information Report.



Counsel for the petitioner has submitted that the petitioner is suffering from mental illness. He is under treatment of Neuro Physician, so, he may be given protection in terms of Section 330 Cr. P. C.

This Court is of view that such plea be taken by the petitioner in the Court below at the time of hearing of regular bail application after surrender of the accused.

The police have recovered several semi manufactured fire arms as well as materials for making fire arms from the house of the petitioner.

Therefore, this Court does not find it a fit case for grant of anticipatory bail.

Accordingly, prayer for anticipatory bail is rejected.

The petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed of on its own merit by the Court below without being prejudiced by this order.

(Sanjay Priya, J)

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