

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1886 of 2018

Arising Out of PS.Case No. -367 Year- 2017 Thana -ARA NAGAR District- BHOJPUR

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Md. Shamim S/o Md. Khalid Resident of Mohalla - Choudhriyana, Ara,
P.S. Ara Town, District - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Sri Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 12-01-2018 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner is in custody since 07.07.2017 in connection with Ara Town P.S. Case No. 367 of 2017 for the alleged offences under Sections 25(1-b)a, 26 and 35 of the Arms Act

3. It is submitted that the petitioner has been falsely implicated in connection with alleged recovery of arms comprising three country made pistols, two pistols loaded with five cartridges each and two magazines containing five cartridges each. It is submitted that on the confessional statement of Md. Aslam @ Raja and Md. Nurain Alam @ Sonu, search was made at the house of Guraiya Khatun , but no recovery was made from there, who in turn named Mehrun Nisha who is the wife of the present petitioner. On search of the house of Mehrun Nisha, the aforesaid



incriminating articles have been allegedly recovered.

4. It is submitted that the petitioner is not named in the confessional statement of either by Md. Aslam @ Raja and Md. Nurain Alam @ Sonu nor by Guraiya Khatun. The petitioner has been in custody for more than six months who claims clean antecedents.

5. Having regard to the nature of accusations and gravity of the offence alleged, this Court is not inclined to grant privilege of bail to the petitioner at this stage. The bail petition stands dismissed with liberty to the petitioner to renew his prayer for bail after framing of charge.

(Vikash Jain, J)

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