

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46547 of 2018

Arising Out of PS.Case No. -56 Year- 2018 Thana -BIHARIGANJ District- MADHEPURA

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1. Pankaj Ram, S/o Opendra Ram @ Upendra Ram, resident of Village-
Rajganj, P.S.- Bihariganj, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh

For the Opposite Party/s : Mr. Umeshnand Pandit

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

04 23-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 25 (1-b)a/26 of the Arms Act
and Section 30 (a) (b) of the Bihar Prohibition and Excise Act,
2016.

Petitioner was apprehended in inebriated condition and
two loaded country made pistols, two live cartridges, one empty
cartridge and one knife is said to have been recovered from the
possession of the petitioner.

It is submitted by learned counsel for the petitioner that
no incriminating article has been recovered from the conscious
physical possession of the petitioner. He has no concern with the



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seized article. He has been falsely implicated in this case at the instance of his enemy by planting the aforesaid recovery from his possession. He happens to be a teetotaller and never consumed liquor. He has no criminal antecedent and has been languishing in custody since 17.03.2018.

On the other hand, learned A.P.P. for the State vehemently opposing the bail petition submitted that two loaded country made pistol, two live cartridges, one empty cartridge and one knife was recovered from the possession of the petitioner, hence he does not deserve bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. However, he may renew his prayer after framing of charge.

Accordingly, this application is rejected.

(Prakash Chandra Jaiswal, J)

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