

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.58948 of 2018**

Arising Out of PS. Case No.-180 Year-2018 Thana- RAJPUR District- Buxar

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Dablu Sah, Son of late Rajendra Sah, Resident of Village- Bahawara, P.S. Rajpur,  
District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**  
**ORAL JUDGMENT**

**Date : 20-12-2018**

Heard learned counsel for the petitioner and learned A.P.P.  
for the State.

2. The petitioner apprehends arrest in connection with  
Rajpur P.S. Case No. 180 of 2018 dated 06.08.2018 instituted under  
Sections 25(1-b)a, 26. 35 of the Arms Act.

3. The allegation against the petitioner and four others and  
two unknown is of possessing illegal fire arms and based on the  
statement of two co-accused, who were caught, the petitioner and two  
others were named, and also recovery of looted motorcycle parts were  
made.

4. Learned counsel for the petitioner submitted that he has  
been made accused only on the statement of co-accused which has not  
been corroborated and further that the petitioner is not in any such  
activity. It was submitted that no recovery has been made to connect



him to either the illegal fire arms or the looted motorcycle parts. Learned counsel produced copy of order dated 03.12.2018 by which a Coordinate Bench has granted anticipatory bail to co-accused Vikas Kumar Maurya in Cr. Misc. No. 67387 of 2018.

5. Learned A.P.P., upon going through the case diary, submitted that the petitioner has been named by the co-accused and there is nothing to show that there is false implication. Learned counsel submitted that Vikas Kumar Maurya was not alleged to be the person, who ran away from the place where the other two co-accused were caught with illegal fire arms and further that the only allegation against him was that some stolen motorcycle parts were recovered from his shop.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the application stands dismissed.

**(Ahsanuddin Amanullah, J)**

Nasimul/-

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| CAV DATE          |            |
| Uploading Date    | 20-12-2018 |
| Transmission Date | 20-12-2018 |

