

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2250 of 2019

Arising Out of PS. Case No.-160 Year-2018 Thana- MUZAFFARPUR RAIL P.S. District-
Saran

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Md. Mahfooz Alam, aged about 22 years, Gender-Male, S/o Md. Mobarak Ansari Resident of Village-Bishunpur Jagdish Athar, P.S. Bochaha, Dist-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Adv
Dr. Bipin Chandra, Adv.

For the Opposite Party/s : Mr.Ashok Kumar, APP-220

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 06-03-2019 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with

Muzaffarpur Rail P.S. Case No. 160 of 2018 registered under

Sections 25(1-AA), 26(2), 35 of the Arms Act.

830 live cartridges are said to have been recovered

from the bag of the petitioner and he was apprehended.

It is submitted by learned counsel for the

petitioner that no incriminating article has been recovered from

conscious physical possession of the petitioner rather from his

bag. Without any recovery of firearm, the aforesaid cartridges

are of no use. Petitioner has no criminal antecedent and has been



languishing in custody since 03.09.2018.

On the other hand, learned APP for the State vehemently opposing the bail prayer of the petitioner submitted that as the huge quantity of live cartridges have been recovered from conscious physical 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. Accordingly, his prayer is rejected.

(Prakash Chandra Jaiswal, J)

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