

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10930 of 2019

Arising Out of PS. Case No.-613 Year-2018 Thana- PHULWARISHARIF District- Patna

Md. Nehal Son of Md. Kallu Resident of Mohalla - Murgiya Tola Isapur ,p.s.-
Phulwarisharif,District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar

For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-02-2019 Heard the learned counsel for the petitioner and the
learned counsel for the State.

The petitioner seeks regular bail in connection with Phulwarisharif PS case no. 613 of 2018 registered for the offence punishable under Sections 399, 402, 414 of Indian Penal Code and 25(1-B)a, 26, 35 of Arms Act.

The case of the prosecution in brief is that while the informant and his associates were on patrolling duty on 16.08.2018 and when they had reached near Fulliya Tola at about 7.30 pm, they saw 10-15 persons to be present on 4-5 vehicles and when they were questioned, they tried to flee away, however some of them were caught and arrested by the police. Thereafter, the apprehended accused persons were searched as also their houses and vehicles were raided and huge amount of



cash money was recovered from various accused persons apart from recovery of arms, iron cutter glander machine, iron cutter and glander plate, iron rods, hammer, wire cutter, number plates of vehicles, screw driver, Yamha motorcycle, Scorpio jeep and several mobiles, as is apparent from the seizure list. The specific allegation as against the petitioner herein is regarding recovery of one pistol with live cartridges, two mobile sets and a sum of R. 2,80,000/- in cash, for which no satisfactory reply could be given by the petitioner herein.

The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and is languishing in custody since 18.08.2018.

I have heard the learned counsel for the petitioner, perused the materials on record including the FIR and the impugned order dated 19.01.2019 and I find that not only the complicity of the petitioner is writ large in the present case but illegal arms and cartridges were also recovered from the petitioner herein apart from recovery of unexplained huge amount of cash money. I also find from the bail petition that the petitioner is an accused in 11 other cases.

Considering the facts and circumstances of the case as noted hereinabove, I am not inclined to grant regular bail



to the petitioner herein. Accordingly, the present bail petition is
dismissed.

(Mohit Kumar Shah, J)

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