

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 6859 of 2020

Arising Out of PS. Case No.-112 Year-2019 Thana- DANAPUR District- Patna

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MUKESH SINGH @ MUKESH KUMAR, aged about 40 years (Male) S/o Loknath Singh R/o village- Barap, P.S.- Garhani, District- Bhojpur at Ara, and Presently Residing at Flat No. 504, Pramila Sudha Kunj Apartment, R.K. Puram, P.S.- Danapur, District- Patan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Thakur
		Mr. Nilesh Kumar
For the Opposite Party/s :		Mr. Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4. 19-05-2020 This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioner as well as learned A.P.P. for the State.

Re. I.A. No. 1 of 2020

After some argument, learned counsel for the petitioner seeks permission to withdraw this interlocutory application i.e. I.A. No. 1 of 2020.

Permission is granted. The interlocutory application i.e. I.A. No. 1 of 2020 stands dismissed as withdrawn.

Cr. Misc. No. 6859 of 2020

The present application has been filed for grant of bail to the petitioner in connection with Danapur P.S. Case No. 112



of 2019 registered for the offence under Sections 25(1-B)a/26 of the Arms Act.

The prosecution case, as per F.I.R., is that on 07-02-2019, one Suraj was caught during checking along with his two associates, who disclosed that they sold illegal cartridges to the petitioner. On this information, a raid was conducted in the house of petitioner and 50 illegal cartridges have been recovered from the bed room of the petitioner.

It is submitted on behalf of petitioner that at the time of raid, petitioner was not present in his house. It is further submitted that no prescribed provision of law has been followed with regard to search and seizure. In this case, chargesheet has already been submitted and petitioner is in custody for more than a year i.e. 24-04-2019.

Learned A.P.P. has vehemently opposed that prayer for bail. He submits that huge quantity of illegal cartridges have been recovered from the house of petitioner and petitioner has got criminal antecedent also.

Considering the fact that illegal cartridges have been recovered from the house of the petitioner and petitioner has got criminal antecedent also, I am not inclined to extend the privilege of bail.



Accordingly, the bail application stands dismissed.

(Prabhat Kumar Singh, J.)

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