

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85280 of 2019

Arising Out of PS. Case No.-229 Year-2019 Thana- KASIMBAZAR District- Munger

Amit Sharma Son of Ashok Sharma, Resident of Village - Maniya Chaurha,
P.S.- Kasim Bazar, P.S.- Distt - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 6375 of 2020

Arising Out of PS. Case No.-229 Year-2019 Thana- KASIMBAZAR District- Munger

RIKKA TANTI Son of Saryu Tanti @ Saryug Prasad Gupta, Resident of
Village/Muhalla - In front of Kali Asthan Fauzdari Bazar, P.S. - Kasim Bazar,
District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 85280 of 2019)

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

(In CRIMINAL MISCELLANEOUS No. 6375 of 2020)

For the Petitioner/s : Mr.Sanjiv Kumar Singh

For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 04-09-2020 Heard both sides through Video Conferencing.

Petitioners of both cases apprehend their arrest in
Kasim Bazar P.S. Case No.229 of 2019 registered under
Sections 25(1-A), 25(1-AA), 25(1-b)a, 26 (i) (ii) (iii) and 35 of
the Arms Act.

The informant (S.H.O. of Kasim Bazar P.S.) got



information alleged that he got confidential inputs that Rikka Tanti (petitioner of Cr.Misc.No.6375 of 2020) used to operate mini gun factory at the closed house known as “Rajo Kutir” with the help of Amit Sharma (petitioner of Cr.Misc.No.85280 of 2019) and others. When the police reached the house, four persons managed to flee away from Rajo Kutir. On search, a huge quantity of arms and ammunition were recovered from the house.

Learned counsel for the petitioners submits that nothing has been recovered from possession of the petitioners. Save and except the statement of the police (informant), there is no other material to show the involvement of the petitioners in manufacturing arms and ammunition. The place of occurrence is not the dwelling house of the petitioners rather it is a Rajo Kutir (abandoned house). Amit Sharma (petitioner of Cr.Misc.No.85280 of 2019) has got criminal antecedent although Rikka Tanti (petitioner of Cr.Misc.No.6375 of 2020) has got no criminal antecedent.

Learned A.P.P. opposed the prayer for anticipatory bail of the petitioners.

Perused the records. It appears that after having received secret inputs that petitioners are manufacturing arms



and ammunition in “Rajo Kutir” (house of Rikka Tanti), a raid was conducted and four persons managed to flee away. A huge quantity of unfinished arms and ammunition were recovered from the house of Rikka Tanti. The witnesses have stated that both petitioners, who were involved in manufacturing of arms and ammunition, managed to flee away.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioners, namely, Amit Sharma and Rikka Tanti on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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