

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27171 of 2020

Arising Out of PS. Case No.-162 Year-2019 Thana- PIRBAHOR District- Patna

MD. PRAVEJ @ RAJAN S/O- Late Md. Abbash R/V-Shakil Manzil,
Bakkarganj, Moharrampur, Tabarak Gali, P.S. - Pirbahore, Distt. - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.S. Ehtesamuddin, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-12-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Pirbahore P.S. Case No.
162 of 2019 instituted for the offences under Sections 25(1-B)A,
26 and 35 of the Arms Act.

The prosecution case in short is that huge quantity of
arms were recovered in this case.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 11.3.2019. There is no
allegation of tampering of witnesses alleged against the



petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. The recovery of arms from the possession of the petitioner is denied. There is no compliance of Section 100 Cr.P.C. It is further submitted that no sanction has been obtained for initiating the prosecution as required under the Act.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The petitioner has got one criminal antecedent. There is recovery of huge arms from the possession of the petitioner. As far as co-accused who has been granted bail is concerned, from perusal of the order-sheet, it would appear that since the recovery was made from the present petitioner, hence, co-accused has been granted bail.

Considering the same, I am not inclined to grant bail to the petitioner. The same is rejected. The Trial Court is directed to conclude the trial at the earliest preferably within nine months from the date of receipt/production of a copy of this order.

The District Magistrate, Patna and the Senior Superintendent of Police, Patna are also directed to take necessary steps to produce the remaining witnesses on the date fixed in the Trial Court so that the trial could be concluded



within the stipulated period.

Let this order be communicated to the District
Magistrate, Patna and the Senior Superintendent of Police,
Patna.

(Sudhir Singh, J)

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