

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.27315 of 2020**

Arising Out of PS. Case No.-13 Year-2019 Thana- LUTUA District- Gaya

Munna Singh Bhokta S/o Sri Kailash Bhogta @ Kailash Bhokta Resident of
Village-Pathlautiya, P.S.-Lutua, District-Gaya. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Nagendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 08-12-2020 Heard learned counsel for the petitioner and Mr.
Nagendra Prasad, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with B.P. No. 351 of 2020 arising out of Lutua P.S. Case No. 13 of 2019 registered for the offences punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner was arrested with the motorcycle which belonged to one Anil Yadav. It is alleged that from the dickey of the motorcycle 75 pieces of live cartridges of 315 bore and 32 pieces of live cartridges of 7.62 × 45 bore have been recovered. On interrogation he disclosed that he was carrying the arms and ammunition to provide the same to one Kishore Prasad of Pakri Gurian.

Learned counsel for the petitioner submits that the petitioner is in jail in connection with this case since 20.12.2019 and he has no criminal antecedent, hence, he may be enlarged on the bail.



On the other hand, Mr. Nagendra Prasad, learned APP for the State has opposed the prayer for regular bail of the petitioner. It is submitted that the petitioner has been found involved in dealing with the arms and ammunition and huge quantity of ammunitions have been recovered from the motorcycle which he was driving. It is further informed that the owner of the motorcycle is absconding till now and there is every possibility that if the petitioner is released on bail, he will not allow the trial to proceed and the chances of his absconding are also there.

Having regard to the facts and circumstances of the case, wherein huge quantity of ammunitions have been recovered from the motorcycle which this petitioner was driving, in the kind of materials and seriousness of the offences as also that the co-accused who is owner of the motorcycle is still absconding, this Court is not inclined to grant bail to the petitioner. The prayer for regular bail of the petitioner is, thus, refused.

The application is dismissed.

Let the trial be expedited.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

