

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50895 of 2019

Arising Out of PS. Case No.-923 Year-2018 Thana- HAJIPUR District- Vaishali

Md. Arshad Alam S/o Md. Izhar Alam @ Majnu Resident of Village- Bag
Dulhan, P.S.- Nagar Hajipur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rina Sinha, Adv.

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 27-05-2020 The matter has been taken up through virtual court
proceeding.

Heard learned counsel for the parties.

The present application has been filed with a prayer
for grant of bail in a case registered for the offences punishable
under Section 414 of the IPC, Sections 25 (1-B)a, 26 and 35 of
the Arms Act and Sections 8 and 20 (b)(ii)(c) of the N.D.P.S.
Act.

The prosecution case as per the self statement of Om
Prakash, S.H.O.-cum-Inspector of Hajipur Town Police Station
recorded on 27.12.2018 at 1 P.M. is to the effect that on
26.12.2018 at 11.40 P.M., the informant received a secret
information that the petitioner, being a veteran criminal is
roaming around along with other co-accused Krishna Mohan
Kumar. Consequently raid was laid and the petitioner and co-



accused Krishna Mohan Kumar were apprehended while escaping by a Maruti Suzuki car. From possession of the petitioner, one country made pistol and three live cartridges were recovered and from possession of the co-accused Krishna Mohan Kumar, one country made pistol and one live cartridge were recovered and from the vehicle in question, 23 kg ganja contained in five plastic bags were recovered.

Learned counsel for the petitioner submits that recovery of ganja was not made from the conscious physical possession of the petitioner and the petitioner is languishing in custody since 28.12.2018. A statement has been made in paragraph no.3 of the petition that the petitioner is also made accused in three other cases of similar nature of offences.

Learned APP submits that recovery of arms and ganja has been made from the possession of the petitioner and he is having criminal antecedent also.

Considering the recovery of commercial quantity of ganja from the vehicle by which the petitioner was travelling, this Court is not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected in connection with Hajipur Town P.S. Case No. 923 of 2018, pending in the Court of learned Addl. Sessions Judge-I-



cum-Spl. Judge, Vaishali at Hajipur.

However, it is expected from the learned trial court to expedite the trial.

(Dinesh Kumar Singh, J)

Amrendra/-

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