

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21868 of 2021

Arising Out of PS. Case No.-18 Year-2020 Thana- CHANDRAMANDI District- Jamui

SUSHIL HANSDA SON OF LATE SOMRA HANSDA RESIDENT OF
VILLAGE- CHHIRPATHER, P.S.- CHANDRA-MANDIH, AND DISTRICT-
JAMUI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Raj

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 31-08-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 121A of the Indian Penal Code, u/s 25(1/a) A, 25(1/b)a, 26, 35 of Arms Act, u/s 16, 17, 18, 19, 202, 21 of UAP Act and u/s 3/4 of Explosive Substance Act.

As per the prosecution case, on the disclosure made by co-accused, Sidhu Kora a raid was conducted in the house of this petitioner and from the backside of house one AK 47 rifle, two magazines of AK 47 loaded with 30 live cartridges, one Bindoliya containing 52 live cartridges of 7.62 bore, medicines and Naxali literature were recovered.

Learned counsel appearing for the petitioner submits



that No incriminating article has been recovered from the conscious possession of the petitioner and he is no way concerned with the alleged recovery. It is further submitted that there is no compliance of Section 100(4) of the Cr. P. C. and the seizure list has been prepared and signed by the police officials themselves which creates serious doubt on the prosecution story. Petitioner is in custody since 23.02.2020.

Learned counsel appearing for the State opposes the prayer for bail and submits that huge quantity of arms and ammunition were recovered from the house of this petitioner.

Considering the facts of the case, gravity of the offence and recovery of huge quantity of arms and ammunition from the house of petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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