

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14286 of 2020**

Arising Out of PS. Case No.-598 Year-2019 Thana- PIRBAHOR District- Patna

SAUKAT MIAN @ BURHWA @ SAHBWAZ MABASSIR @ SHAUKAT  
ALI @ SHABAJ MOBASSIR Son of Md. Yusuf Mian Resident of Mohalla -  
S.S. Capital Market, Muradpur Lane, P.S.- Pirmahore, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Manish Kumar No2

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

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      09-03-2021                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is apprehending his arrest in Pirmahore  
P.S. Case No. 598 of 2019 registered under Sections 341, 323,  
353, 224, 225 and 34 of the Indian Penal Code and 25(1-b)A, 26  
and 35 of the Arms Act.

The prosecution allegation, in short, is that in course  
of patrolling, when the informant reached the place of  
occurrence, one loaded revolver and six cartridges were found  
and seized.

It has been submitted on behalf of the petitioner that  
there is no allegation of tampering of witnesses alleged against  
the petitioner. The petitioner has falsely been implicated in the



present case. It is further submitted that the petitioner has got only one case pending against him. The present case has been instituted at the instance of the own brother of the petitioner.. There is a property dispute between the petitioner and his brother and for the same reason, a false case has been instituted against him. The petitioner denies that no such search and seizure was made in respect to him and recovery of one pistol along with six cartridges is denied by him.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. and as per the prosecution case, there is a recovery of arms from the possession of the petitioner. Hence, it is not a case for anticipatory bail.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected. If the petitioner surrenders in the Court below and prays for regular bail, the same will be considered on its own merit without being prejudiced by this order and be disposed of preferably on the same day.

**(Sudhir Singh, J)**

Pankaj/-

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