

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30484 of 2020

Arising Out of PS. Case No.-189 Year-2020 Thana- GHOSI District- Jehanabad

Madhusudan Sharma Son of Sri Jaipal Singh Resident of Village- Metra, P.S.-
Ghosi, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritesh Kumar, Adv.

For the Opposite Party/s : A.G.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Ghosi P.S. Case No.189 of 2020, registered under sections 25(1-B) (a) and 26 of the Arms Act.

As per allegation in the F.I.R., a loaded country made pistol and 24 live cartridges are stated to have been recovered from the room on the first floor of the house of the petitioner, the search having taken place in presence of the petitioner's wife.

It is submitted by learned counsel for the petitioner that the allegation of recovery as made in the F.I.R. are false and concocted. No recovery whatsoever has taken place either from



the conscious possession of the petitioner or from his house. Further the falsity of the seizure would be evident from the copy of the seizure list wherein although the alleged seizure is said to have taken place much before lodging of the F.I.R., the F.I.R. number finds mention at the top of the seizure list. The petitioner's wife is an elected Mukhiya and the instant case has been lodged falsely implicating the petitioner as a result of conspiracy by her rival Hemant Sharan and others. The petitioner has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration that the country made pistol and 24 live cartridges was recovered from the house of the petitioner, this Court is not inclined to enlarge the petitioner on anticipatory bail and as such the same is rejected.

In case the petitioner surrenders within a period of six weeks, the application for bail shall be considered without being prejudiced by this order of rejection.

(Partha Sarthy, J)

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