

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35228 of 2020

Arising Out of PS. Case No.-127 Year-2020 Thana- MADANPUR District- Aurangabad

Sarju Bhuiya son of Late Parmeshwar Bhuiya Resident of village Chhali
Dohar (Munshi Bigha), P.S. Madan pur District Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar .

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bindeshwar Prasad Singh, Adv.

For the Opposite Party/s : Mr. H.A. Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 25-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 25(1-b)a/26/35 of the Arms
Act and Section 17 of the CLA Act.

Prosecution case as lodged by the police personnel is
that on secret information that the petitioner along with his
family members have kept arms in their house for delivering the
same to Naxalite organization, a raid was conducted and
arrested the petitioner. On search, a country made carbine with
live cartridge has been recovered from the house of the
petitioner. Accordingly, a seizure list was prepared.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this



case. He submits that nothing has been recovered from the conscious possession of the petitioner rather arms has been recovered from the joint house of the petitioner. He submits that at the time of occurrence several villagers are present there but as per seizure list no independent witnesses has been made as witness. He further submits that petitioner is languishing in judicial custody since 28.06.2020.

Considering the nature of allegation, I am not inclined to enlarge the petitioner on bail. Accordingly, his payer for bail is rejected for the present in connection with Madan Pur P.S. Case No. 127 of 2020 pending before the court of the learned C.J.M., Aurangabad.

Accordingly, the application is dismissed.

(Anjani Kumar Sharan, J)

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