

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39113 of 2020**

Arising Out of PS. Case No.-34 Year-2020 Thana- GHOSI District- Jehanabad

ASHOK BISHVKARMA @ ASHOK VISHWAKARMA, Son of Kailash Bishvkarma @ Kailash Vishwakarma, Resident of Village - Mirzapur, P.s. - Ghosi (Okari), District - Jehanabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Ansul, Advocate  
Mr. Thakur Brajesh Singh, Advocate  
For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

3      02-03-2021              Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Bhanu Pratap Singh, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Ghosi (Okari) P.S. Case No. 34 of 2020 registered for the offence under Sections 25(1-B)A, (1-AA), 26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that as per the prosecution story, while the informant with his superior officials was on special drive raided the house of the petitioner on the basis of secret information that he is involved in running



of mini gun factory. It is alleged that articles which were used in manufacturing of arms were seized along with one operational country made pistol.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that no incriminating article has been recovered from the possession of the petitioner. The petitioner is by profession a blacksmith, therefore, the articles said to have been recovered are related to his profession. The petitioner is in custody since 26.01.2020.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it appears from the materials on the record, particularly the seizure list, that several articles which is used in manufacturing of arms together with one operational country made pistol and 8 mm empty cartridges have been recovered from the possession of the petitioner, this Court is not inclined to grant privilege of bail at this stage to the petitioner.

This Court has been informed that charge-sheet has already been filed. Let the trial be expedited.

The trial court is directed to proceed with the case



without granting unnecessary adjournment in the matter and all endeavours be made to conclude the trial within a period of nine months from today. If the trial is not concluded within the period of nine months for no reasons attributable to the petitioner, he may renew his prayer for bail.

This application stands disposed of accordingly.

**(Rajeev Ranjan Prasad, J)**

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

