

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 7916 of 2021**

Arising Out of PS. Case No.-42 Year-2020 Thana- BAKHTIYARPUR District- Patna

BINOD PASWAN @ VINOD PASWAN SON OF LATE SUBA DAS R/O
VILLAGE- SARAIYA, P.S.- BAKHTIYARPUR, DISTRICT- PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Ashok Kumar Kashyap, Advocate
For the Opposite Party/s : Mr Arun Kumar Singh, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

4 **17-08-2021** This case has been taken up for consideration today
through Video Conferencing.

Heard learned counsel for the petitioner and the
learned Additional Public Prosecutor (for brevity, APP)
appearing for the State of Bihar.

The petitioner seeks bail in Bakhtiyarpur Police
Station Case No 42 of 2020 instituted for the offence punishable
under Sections 25 (1) (a) (b) (1B) (a), 26, 35 of Arms Act.

Huge quantity of arms and ammunition have been
recovered from the petitioner's house.

Petitioner's counsel submits that the petitioner has
been implicated in this case falsely. He has been remanded in
this case on 01.08.2020 upon his arrest in another case.



Submission is that the house is a joint property and was let out to someone else and, therefore, the petitioner cannot be held responsible for the recovery.

Learned APP submits that petitioner has criminal antecedents. Recovery is from his house and the recovery is of huge quantity of arms as well as ammunition and material which may have been used in manufacturing of arms.

Considering the rival submissions, this Court is inclined to accept the submissions advanced by the learned APP. Prayer for bail, for the present, is rejected.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

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