

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11771 of 2021**

Arising Out of PS. Case No.-430 Year-2020 Thana- JAKKANPUR District- Patna

1. MAHENDRA SINGH, Son of Jagarnath Prasad, Resident of Village - Begampur, P.S. - Sadar, District - Bhojpur.
2. AJIT KUMAR, Son of Ashok Kumar, Resident of Shetal Tola, Ara Bus Stand, P.S. - Nawada, District - Bhojpur.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Harun Quareshi, Adv.

For the Opposite Party/s : Mr.Anil Pd. Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL ORDER

2 07-07-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual court proceedings.

Learned counsel for the petitioners undertake to remove the defects as pointed out by the office within four weeks of normal functioning of the court, failing which the office is directed to place the matter before the Bench.

The petitioners seek bail in a case registered for the offence punishable under Sections 25(1)(a) 25(1-b)A/26/35 of the Arms Act.

Allegation against the petitioners alongwith co- accused is said to have arrested by the police at the spot with 08 country



made automatic pistols and 16 magazines.

Learned counsel for the petitioners submits that the petitioner are innocent and have falsely been implicated in this case. There is no recovery from the conscious possession of the petitioners. The petitioners are languishing in judicial custody since 21.09.2020. The petitioners have no criminal antecedent which is mentioned in para 3 of the bail petition.

Learned APP for the State opposes the prayer for bail petition.

I perused the impugned order, it transpired that the petitioners were arrested by the police alongwith co-accused Raju Yadav who had come at Mithapur Bus Stand with eight country made automatic pistol and sixteen cartridges to deliver to the petitioners. Perusal of the record also reveals that the petitioners are indulged in illegal arms trade in association with co-accused Raju Yadav.

Considering the aforesaid facts and circumstances of the case, I am not inclined to enlarge the petitioners on bail. Accordingly, the prayer for bail of the petitioners are rejected in connection with Jakkanpur P.S. Case No. 430/2020 from the Court of learned Chief Judicial Magistrate, Patna.

Accordingly, this application is dismissed.



However, the petitioners would be at liberty to renew
their prayer for bail after nine months.

(Anjani Kumar Sharan, J)

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