

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6923 of 2022**

Arising Out of PS. Case No.-336 Year-2021 Thana- PHULWARIYA District- Gopalganj

=====

TUNNA SAH @ TUNNA SAI @ SONU SAH @ TUNU SAH SON OF
SALAUDDIN SAH @ SALAUDDIN RESIDENT OF VILLAGE-
SAWANAHI PATTI, POLICE STATION- FULWARIA (SRIPUR O.P.),
DISTRICT- GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh

For the Opposite Party/s : Mr.APP.

=====

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-06-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the State

through Video conferencing.

Petitioner seeks regular bail in Fulwaria (Sripur O.P)

P.S. Case no. 336/2021 registered for the offence punishable

under Section 414/34 of the Indian Penal Code and sections 25,

26, 35 of the Arms Act as well as sections 20, 25, 27 of

N.D.P.S.Act.

As per allegation from the person of this petitioner, a

loaded country made pistol with three live cartridge, Rs 7000/-

and a motorcycle was recovered and from possession of co-



accused person Jafar Imam 1000 gram purported to be narcotic substance kept in two packets with some other articles was recovered.

The main submissions advanced by the learned counsel for the petitioner are that alleged motorcycle and Rs 7000/- which are alleged to have been seized from the possession of the petitioner belong to the petitioner and said article has no concern with any person and petitioner is owner of the same. In fact, no other article or contraband was recovered and petitioner's signature was taken on blank paper which was later on falsely used for preparing seizure list and while rejecting the bail prayer of the petitioner, the court below observed that petitioner may renew his prayer for bail after six months and the said period has elapsed and there are six criminal antecedents of the petitioner in which in some cases he is on bail.

Learned APP opposes the prayer for bail.

Heard both sides and perused the FIR and seizure list attached to the FIR. From possession of this petitioner, a loaded country made pistol with three live cartridges was recovered and he is alleged to be involved in several cases details of which have been mentioned in para 3 of the petition and almost six



cases have been shown as his criminal antecedents. Considering these facts and mainly criminal antecedents of the petitioner, this Court is not inclined to grant regular bail to the petitioner and accordingly, his prayer for bail stands rejected.

Petitioner may renew his prayer for bail before the court below as per liberty given by the court below in the order dated 23.12.2021 passed in Trial no.48/2021.

(Shailendra Singh, J)

s.hassan/-

U		T	
---	--	---	--

