

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19453 of 2021

Arising Out of PS. Case No.-41 Year-2020 Thana- NARDIGANJ District- Nawada

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ALOK KUMAR S/o Late Rajendra Singh, Resident at Prariya, P.S.-
Nardiganj, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Priya Ranjan Prasad

For the Opposite Party/s : Mr. Dashrath Mehta

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 22-01-2022 Heard the learned counsel for the petitioner and the

learned Additional Public Prosecutor for the State through video
conferencing.

The learned counsel for the petitioner is directed to
remove all the defects pointed out by the office within one
month.

The petitioner apprehends his arrest in connection
with Nardiganj P.S. Case No. 41/2020 registered for offence
punishable under sections 25(1-b) 26/35 of the Arms Act.

As per FIR, the informant (Officer Incharge of police
station) was going for investigation in connection with
Nardiganj P.S. Case No. 40 of 2020. The accused persons
named in the FIR were found absconding from their house.



Thereafter, the informant reached at the house of the present petitioner and found his house as opened. After entering the house, the police party found one pistol made in USA scribing 7.65 seven round, Empty magazine scribing no. 4113, Empty magazine scribing no. 1511, Three live cartridges scribing 8 M.MKF, 8 mm. KF-97 and 8 mm 315 KF, Three empty cartridges each scribing 8 mm. KF, One cartridge scribing 7.6 KF, One live cartridge of gun scribing 12 KF-96, One country made rifle. The Aadhar Card of the petitioner was also recovered from his house.

The learned counsel for the petitioner has submitted that the petitioner has only been implicated in this case on the basis of Aadhar Card. He was not found on the place of occurrence.

As discussed above, a number of arms and ammunitions were recovered from the house of the present petitioner. The seizure list was prepared in the presence of the independent witnesses. Although, the petitioner was not present in his house at the time of raid, but it is undisputed that it was the house of the present petitioner.

Considering the above mentioned facts and circumstances, I do not think it a fit case for anticipatory bail



and accordingly the prayer for anticipatory bail is rejected.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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