

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11638 of 2022

Arising Out of PS. Case No.-203 Year-2021 Thana- MANSI District- Khagaria

Md Arif Raja Son Of Safi Aalam Resident Of Village - Kanhaiya Tola,
Manglapar, P.S.- Khajekalan, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the state.

Let the defect(s), if any, as pointed out by the office be removed within four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Mansi P.S. Case No. 203 of 2021 registered for the alleged offences under Section 25(1-b) a/26/35 of the Arms Act.

On secret information, allegedly the petitioner was apprehended and from the bag of the petitioner, six country-made automatic pistols and six extra magazine along with one mobile phone were recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case.



Prosecution story is fabricated and concocted. Nothing incriminating has been recovered from conscious possession of petitioner. The petitioner has got no concern with the bag from which the pistols and magazines were recovered. Learned counsel for the petitioner further submits that the petitioner is in custody since 18.07.2021.

Learned A.P.P. for the state opposes the prayer for bail and submitting that the petitioner has been supplying the pistol illegally to anti-social elements.

Having regard to the submission made hereinabove and considering the fact that six pistols along with extra magazines were recovered from the bag being carried by the petitioner and in view of the seriousness of the matter, I am not inclined to enlarge the petitioner on bail.

Accordingly, his prayer for grant of bail is rejected.

However, the petitioner will be at liberty to renew his prayer for bail if the trial is not concluded within the period of six months.

(Arun Kumar Jha, J)

Gautam/Shobha

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