

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14367 of 2022

Arising Out of PS. Case No.-286 Year-2021 Thana- NAWADA MUFFASIL District- Nawada

MITHUN KUMAR SON OF ARJUN SINGH R/O VILLAGE- DHUMRA,
P.S.- MUFASSIL, DISTRICT- NAWADA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar

For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 15-07-2022 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 Nawada Mufassil P.S. case no. 286 of 2021 registered for the offence punishable under Sections 25(I-b)a, 26 of the Arms Act.

As per allegation, police party raided the house of the petitioner and recovered a country made pistol with one live cartridge from the petitioner's house which was kept in plastic bag.

The main submissions advanced by the learned counsel for the petitioner are that prosecution story as narrated in the FIR is completely false and same is manufactured and on account of enmity which is admitted fact running between the parties alleged firearm



was planted and the petitioner is close relative of the informant and earlier Mufassil P.S. case no. 122 of 2015 was lodged by mother-in-law of the informant, namely, Meena Devi against the petitioner which shows that the present case has been lodged against the petitioner with ulterior motive and on account of said enmity. Further submission is that petitioner has been languishing in jail since 17.10.2021 in the present case.

Learned APP has opposed the prayer for bail.

Heard both sides, perused the FIR and seizure list attached to FIR. The said Meena Devi is stated to be wife of the informant's brother and according to her she earlier lodged a case against the petitioner with an allegation of outraging of her modesty as well as she having been threatened by this petitioner and thereafter in connection with investigation in relation to earlier case, police raided the petitioner's house and recovered alleged country made pistol along with cartridge, said recovery of firearm shows his criminal background, petitioner has criminal antecedent of one case which was admittedly lodged by the mother-in-law of the informant.

Considering these facts, petitioner does not deserve privilege of bail and accordingly, his prayer for bail stands rejected.

(Shailendra Singh, J)

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