

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16908 of 2022

Arising Out of PS. Case No.-175 Year-2020 Thana- SALAKHUA District- Saharsa

NABIN BHAGAT @ NAVIN BHAGAT @ NAWIN KUMAR BHAGAT Son
of Late Umakant Bhagat Resident of Village-Bahorba @ Bahuarba, Police
Station-Beldaur, District-Khagaria. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Satish Kumar Singh, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 06-09-2022 Heard learned counsel for the petitioner and
learned APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under Section 25(1-AA), 25(1-
B)A, 26 and 35 of Arms Act, in connection with Salkhua Police
Station Case No. 175/2020.

As per the prosecution story, the police got
information that the accused persons are running illegal arms
factory and accordingly, the house of Soman Kumar was raided
and different parts of manufacturing of arms, machines, country
made pistols were recovered besides Soman Kumar, Pintu
Kumar and Nand Kishore Bhagat were apprehended. The
apprehended persons disclosed that it is actually this petitioner
who is engaged in sale of illegal arms at village Bahuarba. Upon
such information, the said house was raided. Although the



petitioner managed to escape, arms as well as arms manufacturing equipments. machines, cartridges were recovered/seized from the said place. Accordingly, the FIR came to be lodged.

Learned counsel for the petitioner submits that he is not a resident of the said place rather belongs to Khagaria and as such he has wrongly been implicated in this case.

Per contra, the learned APP submits that different paragraphs of the case diary clearly shows that the police has found the same to be the place of petitioner where the arms as also the equipments relating to manufacturing of the arms, machines, cartridges were recovered and as such he cannot escape his responsibility from the said recovery/seizure.

Considering the fact that cache of arms manufacturing parts and cartridges have been recovered and the allegation is that it has been recovered and seized from the place of the petitioner, this Court is not inclined to grant him any relief and the bail application is hereby rejected.

(Rajiv Roy, J)

Ravi/Ajay Singh

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