

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23011 of 2022

Arising Out of PS. Case No.-337 Year-2021 Thana- PUNPUN District- Patna

MANOJ KUMAR @ MANOJ SINGH @ GENDU @ MANOJ KUMAR
SINGH S/o Late Brahmanand Singh Resident of Village- Barah, P.S.-
Punpun, District- Patna at present Magadh Colony, Kurji, P.S.- Digha District-
Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhinay Raj

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH

ORAL ORDER

2 22-07-2022 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 as well as learned

APP for the State through video conferencing.

Petitioner seeks regular bail in connection with a case

registered under sections 25(I-B)a and 26 of the Arms Act.

As per allegation one loaded pistol along with 27 live

cartridges was recovered from the possession of the petitioner.

The main submissions advanced by the learned counsel

Sri Abhinay Raj, appearing for the petitioner are that the petitioner

was earlier made accused by his cousin due to property dispute in

which petitioner has been granted bail and thereafter Punpun P.S.

Case no. 20 of 2021 was lodged at the same police station in which



petitioner got anticipatory bail from this court vide order passed in Cr. Appeal no. 3236/2021(S.J) and thereafter in collusion with police two co-sharers of the petitioner with whom the petitioner's relation is not good, the present case has been instituted and the same is motivated case and has been lodged at the instance of the informant of Punpun P.S. Case no. 25 of 2021. Further submission is that the alleged recovery of firearm was not made before independent witness and seizure list was signed by the police personnel and hence the alleged recovery comes under the shadow of doubt and petitioner has been languishing in jail since 27.12.2021.

Learned APP Mr. Dinesh Singh appearing for the State has opposed the prayer for bail.

Heard both sides and perused the FIR. Admittedly against the petitioner, there is criminal antecedent of three cases as reflects from para 3 of his petition and on search made on his body one country made loaded pistol and 27 live cartridges were recovered and FIR goes to show that the alleged recovery of firearms was made from the conscious possession of the petitioner. Considering the said recovery of arms, in my view, petitioner does not deserve privilege of bail. Accordingly, his prayer for bail in connection with Punpun P.S. Case no. 337 of 2021 stands rejected.

(Shailendra Singh, J)

Shahid/pooja-

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