

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32733 of 2022

Arising Out of PS. Case No.-40 Year-2022 Thana- NAWANAGAR District- Buxar

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Mukhtar Alam @ Mukhtar Ali S/O Late Twarak Ali, Resident Of Village And
Post- Kesath, P.S.- Nawanagar, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mohit Shriwastava, Advocate

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 16-11-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Nawanagar P.S. Case No. 40 of 2022 lodged under Sections
25(1-b)a, 26 and 35 of the Arms Act.

As per prosecution case, total recovery of three pistol,
four live cartridges and six empty cartridges were made in this
case from the house of the petitioner.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that petitioner is a man of clean antecedent and under a
deep rooted conspiracy, his name has figured in this case.

Counsel further submits that petitioner is an old aged person, he is in custody since 12.02.2022 and charge sheet has already been filed in this case.

Upon specific query that whether charge has been framed or not, learned counsel submits that as per his knowledge, charge has not been framed.

Learned counsel for the State opposes the prayer for bail and submits that arms with live cartridges recovered from the possession of the petitioner.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner. Accordingly, the bail petition of the petitioner is hereby rejected.

Liberty is hereby granted to the petitioner that he shall move for bail after completion of one year from the date of passing of this order and upon move before the Trial Court, the Court shall directed to release the petitioner on bail imposing its own conditions so that he shall not evade his appearance during trial.

(Dr. Anshuman, J.)

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