

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43859 of 2021**

Arising Out of PS. Case No.-940 Year-2020 Thana- MADHEPURA District- Madhepura

AMIT KUMAR Son of Sanjay Yadav Resident of Village - Mahua, Ward No. 12, P.S.- Madhepura (Ghailadh O.P.), District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Ms. Anita Kumari Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 04-02-2022 Heard Mr. Deepak Kumar, learned counsel for the petitioner and Ms. Anita Kumari Singh, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Madhepura (Ghailadh O.P.) P.S. Case No. 940/2020 registered for the offence punishable under Sections 25(1-B)a, 26 and 35 of the Arms Act.

Two country made pistols have been recovered from the house of the petitioner and his brother kept inside their bed.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and at the time of seizure of firearms, the procedure prescribed under Section 100 Cr. P.C. has not been followed. He further submits that the



petitioner is in custody since 16.12.2020 and charge sheet has already been submitted.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioner has got criminal antecedent and illegal firearm has been recovered from the bed of the petitioner, I am not inclined to grant regular bail to the petitioner.

Accordingly, the prayer for bail of the petitioner stands rejected.

However, the petitioner may renew his prayer for bail after three months.

(Anil Kumar Sinha, J)

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