

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54938 of 2021

Arising Out of PS. Case No.-79 Year-2021 Thana- ALAMNAGAR District- Madhepura

MD. RAJJO @ RIJWAN @ RIJVAN ALI S/O MD. CHHEDI R/o village-
Sukharghat, P.S.- Alamngar (Ratwara O.P.), Distt.- Madhepura

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-09-2022 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks. In the eventuality of
non-removal of defects within undertaken period, the office
will place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 25(1-b),
26 of the Arms Act.

It is alleged that “three fifteen rifle” was recovered
from the house of the petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. He submits that there is no recovery from the conscious



possession of the petitioner. He submits that petitioner was not present at the time of occurrence. He submits that there is no compliance of Section 100 of the Cr.P.C. and the said house is a joint family property. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that alleged recovery is made from the house of the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Alamnagar (Ratwara O.P) P.S. Case No. 79 of 2021.

(Anjani Kumar Sharan, J)

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