

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.47467 of 2022**

Arising Out of PS. Case No.-134 Year-2022 Thana- SABAUR District- Bhagalpur

Md. Sahab @ Sahab S/o Late Md. Rakib @ Md. Rikab Resident of Village-
Daharpur, Bhaigaon, P.S.- Goradih, District- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Satish Chandra Mishra, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 09-12-2022 Learned counsel for the petitioner will remove all the
defects as pointed out by office within two weeks from today.

Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Sabour P.S. Case No. 134 of 2022 registered for
the offences punishable under Sections 25(1), (1-AA), 25 (1-b,
e), 26 and 28 of the Arms Act. He is in custody since
18.04.2022. The petitioner has got two criminal antecedents.

Learned counsel for the petitioner submits that as per
the prosecution story, on 17.04.2022 at about 09:40 P.M, the
informant received secret information that the petitioner is
engaged in manufacturing of illegal arms at his house. On this
information, the informant along with other police officers



raided the house of the petitioner. In course of search of the house of the petitioner, huge quantity of illegal arms and arms manufacturing materials and apparatus were recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is in custody in connection with this case since 18.04.2022.

Mr. Akhileshwar Dayal, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the fact that huge illegal arms and arms manufacturing materials and apparatus as per seizure memo have been recovered from the house of the petitioner and the petitioner has got two criminal antecedents of similar nature and while enjoying the privilege of bail he seems to be indulging in the offence alleged, this Court is not inclined to release the petitioner on bail at this stage.

The prayer for bail of the petitioner is, thus, refused.

Let the trial be expedited. All endeavours be made by the learned trial court to conclude the trial within a period of one year from the date of communication of this order.

No unnecessary adjournment shall be granted and



despite all this for no fault on part of the petitioner if the trial is not concluded, the petitioner may renew his prayer for bail after one year.

The application is disposed of accordingly.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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