

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72414 of 2021

Arising Out of PS. Case No.-173 Year-2021 Thana- SURYAGARHA District- Lakhisarai

Ahmad Ullah @ Ramakaran Yadav S/o Mohan Yadav R/o village- Jatuka,
P.S.- Manigachhi, District- Darbhanga

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Baidya Nath Prasad, Advocate

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 19-05-2022 Heard learned counsel for the petitioner and Mr.
Nitya Nand Tiwary, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Suryagarha P.S. Case No. 173 of 2021 registered for the offences punishable under Section 25(1-b)a, 26 & 35 of the Arms Act. He is in custody since 12.08.2021 having three criminal antecedents as stated in paragraph '3' of the application.

As per the prosecution story, the Officer-in-Charge of Suryagarha Police Station got an information and on the basis of the said information intercepted a white colour Ford Eco Sport Car. The persons who were traveling on the said vehicle tried to flee away but they were caught by police on the spot. They disclosed their names as (1) Sahjad (2) Alisher



Aazad (3) Ahmad Ullah @ Ramkaran Yadav and (4) Md. Baliullah. The said vehicle was searched in presence of the independent witnesses and from beneath the seat of the vehicle four country made pistols and eight magazines were recovered.

Learned counsel for the petitioner submits that the recoveries have not been made from conscious possession of the petitioner and the vehicle in question does not belong to him.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner. It is submitted that the petitioner and three others were arrested when they were coming from Munger in a white colour Ford Eco Sport Car and police had information that they are coming with arms. It is submitted that considering the criminal antecedents of the petitioner and his arrest on the spot and recovery of four country made pistols and eight magazines the petitioner does not deserve privilege of bail.

Having regard to the allegations which are serious in nature and the severity of punishment attached to the offence as also considering that the petitioner was arrested at the spot and huge quantity of arms and magazines have been



recovered from the vehicle, this Court is not inclined to
release the petitioner on bail.

Prayer for regular bail of the petitioner is, thus,
refused.

Let the trial be expedited.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

