

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8362 of 2023

Arising Out of PS. Case No.-259 Year-2021 Thana- KATEYA District- Gopalganj

MUNNA MISHRA @ MANOJ MISHRA @ DILIP MISHRA Son of Late
Ganga Mishra @ Laxmikant Mishra Resident of Village- Panan Mahuawa
(Panan Khas), P.S.- Kateya, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey
For the Opposite Party/s : Mr. Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 10-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Kateya P.S. Case No. 259 of 2021 instituted for the offence under Sections 25(1-A), 25(1-AA), 26(ii) of the Arms Act.

3. According to the FIR, prosecution case relates to recovery of one AK-47 along with a magazine from possession of the petitioner while he was trying to escape by his motorcycle after seeing the police party. The petitioner is alleged to be a notorious criminal.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has falsely been implicated in this case. The petitioner has no concern with



the alleged recovery of weapon. It is further submitted that the police has not adopted mandatory provision of search and seizure at the time of preparation of seizure list. Moreover, the petitioner is languishing in judicial custody since 23.7.2021.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner was apprehended on spot from whose possession, one AK-47 along with magazine was recovered. The petitioner is a veteran criminal against whom more than 18 criminal antecedents have been registered. It is further submitted that the witnesses of this has have supported the prosecution.

6. Having heard the learned counsel for the parties and considering the fact that the recovery of has been made from possession of the petitioner, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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