

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37642 of 2023

Arising Out of PS. Case No.-36 Year-2023 Thana- RAMNAGAR District- West Champaran

Md Javed Son Of Shekh Raiful Resident Of Village- Jigia, Ps- Ramnagar,
Distt- West Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Zainul Abedin, Adv.

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 05-07-2023 Let the defect(s), if any, be removed within two weeks
from today.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
Ramnagar P.S. Case No. 36 of 2023 lodged under Sections
25(1-b)a, 26, 35 of the Arms Act.

4. As per the prosecution case, the F.I.R. has been
lodged against 4 named accused persons against whom the
allegation is that they were planning for hunting the wild
animals.

5. Learned counsel for the petitioner submits that
from the content of F.I.R. itself, it is clear that the police has
taken action on secret information and upon chase, one old desi
gun, 3 live cartridges, 7 empty cartridges and one iron *Gupti*
have been recovered from his possession.

6. Counsel submits that petitioner is in custody since 30.01.2023 having clean antecedent. He submits that in the rejection order of the Sessions Court, it has come that the fire arm is not effective and firing pin, trigger, spring, hammer were not in working condition. Therefore, counsel submits that the alleged arm is not arm at all as it is usual lathi only, hence, he deserves bail.

7. Learned counsel for the State opposes the prayer for bail and submits that 3 live cartridges has been recovered from the possession of the petitioner and petitioner is in custody just from January, 2023.

8. In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected but liberty is hereby granted to the petitioner that he may renew his prayer for bail after framing of charge.

9. With this observation, the bail application stands rejected.

(Dr. Anshuman, J)

prakashmani/-

U			
---	--	--	--