

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39842 of 2022**

Arising Out of PS. Case No.-582 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

MANJESH KUMAR @ BARE Son of Chandradev Kunwar @ Chandradev  
Kunwar Resident of Mohalla- Kapasiya, ward no. 13, P.s.- Town District-  
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                              |
|--------------------------|---|------------------------------|
| For the Petitioner/s     | : | Mr. Ajay Kumar Thakur, Adv.  |
|                          | : | Mr. Sandip Kumar Gautam      |
| For the Opposite Party/s | : | Mr. Dr.Mrityunjaya Kr.Gautam |

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

8      10-04-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has prayed for bail in connection with  
Town P.S. Case No. 582 of 2021 instituted for the offence under  
Sections 414, 120(B) of the Indian Penal Code and Sections  
25(1-AA), 25(1-b)a, 26, 35 of the Arms Act.

As per allegation in the FIR, the informant got secret  
information about illegal arms and ammunition kept in the  
house of the petitioner, thereafter, he along with police  
personnel reached at the house of petitioner and arrested him.  
Upon search, several arms and ammunition including one AK-  
47 rifle has been seized which were kept in a steel truck in the



room of the petitioner. Accordingly, the seizure list has been prepared in accordance with law.

Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has falsely been implicated in this case. Nothing incriminating has been recovered from conscious possession of the petitioner. It is further submitted that the seizure list has been prepared without any independent witness which violates the provision of law. Moreover, the petitioner is languishing in judicial custody since 21.9.2021.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that a huge numbers of arms and ammunition including iron made AK-47 rifle were recovered from the house of this petitioner, Manjesh Kumar, who apprehended on spot and no any cogent reason has been explained by the petitioner relating to the possession of such arms and ammunition. From perusal of FSL report, it appears that all the arms and live ammunition were found effective.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial Court is directed to expedite the trial and



conclude the same within a period of six months.

However, if the trial of the petitioner is not concluded within stipulate time, he would be at liberty to renew his prayer for bail.

**(Sunil Kumar Panwar, J)**

Amandeep/-

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