

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46845 of 2023

Arising Out of PS. Case No.-778 Year-2022 Thana- AGAMKUAN District- Patna

MD. TAUSIF ALAM, 20 years (Male), S/o Md. Irsad Alam R/o Village-
Lohra, P.S.-Jamui, District-Jamui (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Subodh Kumar, Advocate
		Mr. Amrendra Kumar, Advocate
For the Opposite Party/s	:	Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 31-07-2023

1. Heard learned counsel for the parties.

2. Petitioner seeks regular bail in connection with
Agamkuan P.S. Case No. 778 of 2022 dated 11.10.2022
registered for the offence(s) punishable under Section(s) 25(1-
b)a/26/35 of the Arms Act.

3. As per the prosecution, 25 pieces barrel (semi
formed pistols), 25 pieces slider and 25 pieces trigger have
been recovered from the possession of this petitioner.

4. The main submissions advanced by the learned
counsel for the petitioner are that the petitioner has fair and
clean antecedent and he has been languishing in jail since
12.10.2022 and against him the investigation has been
completed and the witnesses of recovery of the alleged firearms
are police officials and moreover the provisions of Section 100



of Cr.P.C. were not followed by the police while searching and seizing the alleged articles.

5. Learned APP appearing for the State has opposed the bail prayer.

6. Heard both the sides and perused the FIR and the seizure list. The instant matter relates to recovery of several semi manufactured parts of the pistol from the conscious possession of this petitioner as appears from the seizure memo and recovery of the alleged materials is sufficient to draw an inference that the petitioner was indulged in manufacturing of firearms. Considering the nature of allegation appearing against the petitioner, in my view, it is not a fit case for bail to the petitioner. Accordingly, his bail prayer stands rejected.

7. The trial Court is directed to expedite the trial of this petitioner and take steps to conclude the same in the next six months. If the trial of the petitioner is not concluded within the said period then the petitioner may renew his bail prayer.

(Shailendra Singh, J)

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