

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65527 of 2022**

Arising Out of PS. Case No.-618 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. Md. Afzal Son of Md. Hamid Resident of Village- Laruwara, P.S.- Muffasil, District- Begusarai
 2. Md. Nazrul @ Bhullo @ Md. Bhullo Son of Md. Afzal Resident of Village- Laruwara, P.S.- Muffasil, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
Mr. Vaishnavi Singh, Adv.

For the Opposite Party/s : Mr. Ritwik Thakur, Adv.
Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-02-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek regular bail in connection with
Mufassil (Singhaul O.P.) P.S. Case No. 618 of 2021 lodged
under Sections 25(1-b)a, 26, 35, 25(1-b)c of the Arms Act.

As per the prosecution case, the allegation of
availability/recovery of the articles by which the fire arms has
been prepared are there in the F.I.R. From the seizure list also, it
transpires that the articles used in preparation and repairing of
gun are there without license.

Learned counsel for the petitioners submit that

petitioners are innocent and have committed no offence. Counsel submits that the father and son both were made accused in this case only due to the reason that the antecedent of the petitioner is not clean and there is 2 criminal cases pending against petitioner no. 1, out of 2 cases, in one case he is on bail and in another case he was acquitted, whereas antecedent of the petitioner no. 2 is clean. Counsel submits that the petitioners are in custody since 22.08.2022.

Learned counsel for the State opposes the prayer for bail and submits that from the contents of the F.I.R. and seizure list, it transpires that the petitioners are involved in running the gun factory.

Upon specific query that whether charge has been framed in this case or not, counsel submits that charge sheet has been filed and charge has not been framed.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioners at present but liberty is hereby granted that they may renew their prayer for bail after framing of charge.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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