

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67896 of 2022

Arising Out of PS. Case No.-521 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

SANJAY SINGH Son of Late Ramautar Singh Resident of Bagdob, Ward
No.- 7, P.S.- Nayagaon, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Anand, Advocate Mr. Binod Kumar, Advocate
For the Opposite Party/s	:	Mr. Nagendra Prasad, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

6 10-04-2023 Let the defect(s), if any, pointed out by the office be removed within three weeks from the date of this order failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Begusarai Town P.S. Case No. 521 of 2022 dated 26.08.2022 registered for the offence(s) punishable under Section(s) 25(1-b)a/26 of the Arms Act.

As per the prosecution, police personnel on secret information raided the alleged house and apprehended this petitioner and recovered a revolver kept under a pillow from



the alleged house.

The main submissions advanced by the learned counsel for the petitioner are that the FIR clearly goes to show that the alleged weapon, which is said to be a revolver, was recovered beneath a pillow kept on a chowki/bed in the petitioner's room but the said firearm has no firing pin and hammer and on account of the said necessary components of the alleged weapon being absent, the alleged recovered firearm cannot be deemed to come under the definition of firearm and after the recovery, the police did not take any attempt to send the said alleged recovered material for ballistic expert's opinion. Further submission is that the alleged firearm was recovered by the police personnel and there is no witness of the search and seizure and the petitioner has been languishing in jail since 31.08.2022 and against him, there is criminal antecedent of one case which was lodged under the Bihar Prohibition and Excise Act, in which he is on bail.

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

In view of the facts, as stated above, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail on



furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Begusarai Town P.S. Case No. 521 of 2022.

(Shailendra Singh, J)

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