

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72311 of 2022

Arising Out of PS. Case No.-136 Year-2022 Thana- KARJAIN District- Supaul

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Sushant Kumar @ Sushant Yadav, S/o Ramanand Prasad Raman @
Ramanand Yadav, R/v- Kohwara, Ward No. - 4, P.S.- Karjain, District- Supaul

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Md. Jubair Ansari, Advocate

For the Opposite Party/s : Ms. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner/accused named in the FIR apprehends his arrest in connection with Karjain P.S. Case No.136 of 2022 registered for the offence punishable under Sections 25(1-B)a and 26 of the Arms Act.

The allegation against the petitioner is to engage in illegal activities of illicit liquor and also to supply of illegal country-made pistol/firearms, whereupon in the raid, two live cartridges were recovered from the house of the petitioner.

It is submitted by learned counsel that only recovery of two live cartridges were alleged to be made from the house of the petitioner which was occupied by other family members also and, therefore, it cannot be said that same was recovered from



the possession of this petitioner. It is also submitted that no illicit liquor as alleged was recovered from the house, which may suggest allegations as raised through the present FIR. It is also submitted that seizure list also appearing doubtful, as the same is supported by Choukidar and not by the independent witnesses. While concluding argument, it is submitted that petitioner is a man of clean antecedent.

Learned Additional Public Prosecutor appearing for the State while opposing the prayer for grant of anticipatory bail submitted that there is recovery of two live cartridges from the house of the petitioner.

Considering the submissions, as made above, as there is recovery of two live cartridges from the house of the petitioner, accordingly, prayer for present anticipatory bail is rejected.

(Chandra Shekhar Jha, J.)

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