

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72555 of 2022

Arising Out of PS. Case No.-572 Year-2022 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Monu Kumar @ Himanshu Raj S/o Mr. Dinesh Pandey, R/o Village-
Bagrapatti Sain, P.S- Kanti, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mrs. Vaishnavi Singh, Adv.
	:	Mr. Pravin Kumar, Adv.
For the Opposite Party/s	:	Mr. Umeshanand Pandit, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-03-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Sadar P.S. Case No. 572 of 2022, lodged under Sections 25(1-
b)A, 26 of the Arms Act.

As per prosecution case, the recovery of arms has
alleged to be made from the possession of petitioner.

Learned counsel for the petitioner submits that from
the contents of F.I.R. and seizure list, it transpires that there is
gross violation of Section 100 of Cr.P.C. in seizing the arms. He
further submits that the alleged recovery is of one country made

pistol and another is of one live cartridge. He also submits that there is one criminal case pending against the petitioner, in which, he has not persuaded for bail till date. Learned counsel for the petitioner further submits that petitioner is in custody since 26.09.2022.

Upon specific query that whether charge has been framed or not, learned counsel submits that as per his knowledge, 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 petitioner at present but hereby granting liberty to the present petitioner to move for bail after framing of charge.

The trial court upon move for bail after framing of charge shall release the petitioner on bail imposing its own conditions so that he shall not evade his appearance during trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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