

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8752 of 2024

Arising Out of PS. Case No.-470 Year-2023 Thana- BELAGANJ District- Gaya

Mobassir Alam @ Bhim Singh Son Of Late Mansoor Alam Original Resident
Of Village-Shekha Bigha, P.S.-Belaganj, District-Gaya, Presently Residing At
Mohalla-Usmanbagh, Islampur, P.S.-Islampur, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Belaganj P.S. Case No. 470 of 2023 dated
18.07.2023 registered for the offences punishable under
Sections 25(1-B)a, 25(1-a), 26(ii) and 35 of the Arms Act.

3. As per the prosecution case, the informant
Chandan Kumar Singh got an information that one
Rabindra Kumar who was apprehended with arms from
Hulasganj police, disclosed that he purchased the arms from
Mobassir Alam (petitioner). On the basis of this



information, the house of the petitioner was raided and two country made pistols, one half made country made pistol, empty magazine of pistol, two misfired cartridges, four empty cartridges, one drill machine, one iron vice, two scrappers and other manufacturing articles were seized.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that the petitioner has no concern with the alleged offence. Learned counsel has further submitted the petitioner has not been residing in the said house from where the recovery has been made. The petitioner has one criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner and submitted that several arms and cartridges were recovered from the house of the petitioner, hence the petitioner does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case as well as the recovery of arms and cartridges from the conscious possession of the



petitioner, I am of the view that no case for grant of anticipatory bail is made out. Accordingly, the petition is rejected and the petitioner is directed to surrender to the Court below within six weeks from the date of this order and the Court below will consider the prayer of bail of the petitioner in accordance with law and on its own merits without being prejudiced by this order.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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