

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17724 of 2024**

Arising Out of PS. Case No.-1057 Year-2023 Thana- SONEPUR District- Saran

Rakesh Kumar Son Of Late Harswar Rai Resident Of Village- Sabbalpur,  
Hastitiola, PS- Sonpur, Dist- Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Manjeet Kumar Bishen, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND  
MALVIYA**

ORAL ORDER

3      17-05-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks regular bail in a case registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 25(1-B)A, 26 and 35 of the Arms Act and Sections 20(II)(P) and 22 of the NDPS Act.

As per allegation in the FIR, it is a case of recovery of one country made pistol along with one k.g. ganja was recovered from the possession of petitioner.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He further submits that there is no specific allegation against this petitioner and he has no concern with the seized article, petitioner is in



judicial custody since 09.11.2023.

Learned APP for the State opposes the prayer for bail of the petitioner.

On perusal of the FIR, case diary, seizure list and impugned order dated 30.11.2023, it appears that there is recovery of one country made pistol along with one k.g. ganja was recovered from the possession of the petitioner and the witnesses have also supported the case of the prosecution, as such, I am not inclined to grant bail to the petitioner.

Prayer for bail of the petitioner is hereby rejected.

However, the trial court is directed to renew his prayer for bail within a period of one year from the date of receipt of a copy of this order and if the trial is not concluded within the stipulated period, then the petitioner may renew his prayer for bail before the trial court.

**(Ramesh Chand Malviya, J)**

Brajesh  
Kumar/Vinayak

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