

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22756 of 2024**

Arising Out of PS. Case No.-468 Year-2023 Thana- BUXAR MUFFSIL District- Buxar

Dara Pathak, aged about 52 years (Male), Son of Jiut Pathak, Resident of  
Village- Jaso, P.S.- Buxar (Muffasil), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                                   |
|--------------------------|---|-------------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Ajay Kumar Thakur, Advocate<br>Mrs. Vaishnavi Singh, Advocate |
| For the Opposite Party/s | : | Mr. Ritwik Thakur, Advocate<br>Mr. Vinod Shanker Modi, APP        |

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

ORAL ORDER

2      05-04-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is accused in a case registered for the  
offence punishable under Sections 25 (1-b)a, 26 and 35 of the  
Arms Act.

As per allegation in the FIR, huge quantity of firearms  
as well as other articles were recovered from the possession of  
the petitioner.

Learned counsel for the petitioner submits that  
petitioner has falsely been implicated in this case. Petitioner is  
in custody since 30.10.2023.

Learned APP for the State opposes the prayer for bail



of the petitioner.

On perusal of the first information report, seizure list and impugned order dated 09.02.2024, it appears that arms and ammunition were recovered which was kept on the bed beneath of the bedsheet (1) 9 m.m. pistol (make in Spain) with magazine (2) country made pistol with magazine, (3) rifle bearing number 0901814, (4) rifle bearing number 375-6.5 x 57, (5) rifle bearing number 4.405 WCF, (6) 19 pieces live cartridges of 4.5 NAI RODSEVIGT, (7) 22 pieces live cartridges of .375 H2BMAGFC, (8) 27 pieces live cartridges of 9.3 K62S&B, (9) 01 piece live cartridge of 4.05 WKYNOCH, (10) 11 pieces live cartridges of 6.5 K57SPG, (11), one piece live cartridges of 63-21RPR, (12), 04 pieces live cartridges of 32-S&WCKF, (13) 20 pieces live cartridges of 7.65, (14) 20 pieces empty cartridges of 8 mm KF, (15) 08 pieces empty cartridges of 9.3 K62S&BO, (16), 02 pieces empty cartridges of 6.5 K57S&BO, (17) 16 pieces empty cartridges of 30.063 S&BO, (18), 06 pieces empty cartridges of 7.65 KF, (19) 03 pieces empty cartridges of 7.63 MONN-PPV, (20) 02 pieces empty cartridges of 9 mm LVGERAUSA. In this matter total 105 pieces live cartridges and 57 pieces empty cartridges were recovered as also the fact that petitioner has one criminal antecedent, in these



circumstances, I am not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is  
hereby rejected.

**(Ramesh Chand Malviya, J)**

Brajesh Kumar/-

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