

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28045 of 2024

Arising Out of PS. Case No.-679 Year-2022 Thana- BIHTA District- Patna

Navin Kumar Son of Sri Rai @ Sri Niwas Rai R/o Village Amnabad, P.S. Bihta, District- Patna, presently r/o Shiv Mahadeo Dera Katesar, P.S. Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi, Adv.

For the Opposite Party/s : Mr.Anil Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 12-07-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in Bihta P.S. Case No. 679 of 2022 registered for the offences punishable under Sections 25(1B)(a), 26 and 35 of the Arms Act.

3. Allegedly, several country made arms and ammunition have been recovered from the houses of the accused persons, namely, Sri Rai, Mandeep Rai and Sachin Kumar. Petitioner is said to be involved in the alleged occurrence.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and he has committed no offence. No such occurrence as alleged has ever taken place. He has been falsely implicated in this case due to ulterior



motive. The allegation levelled against the petitioner is totally false and based on concocted facts. Petitioner has no role in the alleged occurrence. He has been made accused in the present case merely on suspicion. He has no concern with the place of recovery. It is further submitted that from bare perusal of the FIR, it is evident that the raid was to ensure recovery of dead body, which was alleged to have been kept in knowledge of the petitioner and since the informant failed to find anything against the petitioner, the informant planted the items alleged to have been recovered. He further submits that the petitioner has six criminal antecedents and he is in custody since 05.01.2024.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the nature of offence as well as the criminal antecedents of the petitioner, I am not inclined to enlarge the petitioner on bail.

7. Accordingly, this application stands dismissed.

8. However, the petitioner is at liberty to renew his prayer for bail after framing of charge.

(Anjani Kumar Sharan, J)

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