

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32740 of 2024

Arising Out of PS. Case No.-554 Year-2023 Thana- BUXAR MUFFSIL District- Buxar

Sanjeet Kumar S/O Bikrama Ram R/O VILL.- JAGJIWANN NAGAR, JASO
ROAD, P.S.- BUXAR(M), DIST.- BUXAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr.Kamal Deo Sharma

For the Opposite Party/s : Mr. Binod Kumar

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

ORAL ORDER

2 23-05-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner apprehends arrest in connection with Buxar (Muffasil) P.S. Case No.554 of 2023 registered for the offence under Sections 25(1-B)A, 26 and 35 of the Arms Act.

3. Allegation against the petitioner is to have brought a country made pistol, which was hidden beneath the bedroom of the co-accused, namely, Kanhaiya Ram to commit a crime.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in



the present case, where, petitioner is not named in the FIR. It is submitted that nothing has been recovered from the possession of the petitioner and he has no concern with the alleged recovery of a country made pistol as well as co-accused, namely, Kanhaiya Ram and Prem Sagar Ram. It is submitted that petitioner is a man of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer of bail of the petitioner.

6. In view of the submissions as made above and nature of allegation, as it appears from perusal of FIR it appears that this petitioner has brought a country made pistol for committing some crime and the petitioner is not named in the FIR, since, when the police approached the petitioner fled away from the place of recovery, where, two accused persons were apprehended by the police, where, specific allegation is against this petitioner, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer of bail of the petitioner is rejected herewith.

8. However, learned trial court is directed to consider the prayer of bail of the petitioner without being prejudiced of this order, if the petitioner surrender within a



period of 15 days from the date of receipt of a copy of this
order.

(Ramesh Chand Malviya, J)

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