

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47972 of 2024

Arising Out of PS. Case No.-92 Year-2024 Thana- SONBERSA District- Sitamarhi

Mausham Adhikari Son of Sundar Rai Resident of Vill- Malangwa, Ward No. 10, P.S.- Malangwa, District- Sarlahi (Nepal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ritesh Singh

For the Opposite Party/s : Ms.Meena Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 18-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case instituted
for the offence under Sections 25(1-b)a and 26 of the Arms Act.

3. As per prosecution case, there has been recovery of
one loaded country-made pistol from the waist of the petitioner
and after unloading the pistol, one live cartridge has been
recovered.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner has no concern with the alleged
recovery of arms. He is languishing in judicial custody since
18.03.2024.

5. Learned APP for the State has opposed the



application for bail and submitted that petitioner is named in the F.I.R. and there has been recovery of one loaded pistol from the conscious possession of the petitioner. During investigation several witnesses have also supported the prosecution case.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to conclude the trial within six months and if the trial is not concluded within the stipulated period, the petitioner may renew his prayer for bail before the Court below itself and the Court below shall consider his bail application without being prejudiced by this order.

(Nawneet Kumar Pandey, J)

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