

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49876 of 2024

Arising Out of PS. Case No.-32 Year-2024 Thana- YADOPUR District- Gopalganj

Rajendra Sharma Son of Late Dhruplal Sharma R/O Vill.- Ekderwa, P.S.-
Gopalganj Town, Dist.- Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Prasad, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 21-09-2024 Heard Mr. Naresh Prasad, learned Advocate for the
petitioner and the learned APP for the State.

2. Application of grant of bail to the petitioner, who is
in custody in connection with Yadopur P.S. Case No.32 of 2024
registered for the offence punishable under Sections 25(1-B)(i),
25(1-B)(a), 25(1-AA), 26(1) and 26(2)/35 of the Arms Act.

3. In course of patrolling the police intercepted a
motorcycle and apprehended the petitioner. On search a country
made pistol and two live cartridges were recovered from the
possession of the petitioner. It is further alleged that on
interrogation the apprehended person disclosed that he is
indulged in preparation of arms and ammunition. On the basis
thereof, the police raided the house of the petitioner from where
various incriminating materials used for preparation of arms
recovered.



4. Learned Advocate for the petitioner contended that in fact on account of past criminal antecedent of identical nature, the name of the petitioner has been implicated in this case. Referring to the FIR it is contended that the petitioner was apprehended under Yadopur Police Station but later on surprisingly on the disclosure made by the petitioner the police raided the house of the petitioner which was situated under the Gopalganj Mufassil P.S. It is further contended that there are various infirmities in the search and seizure, moreover, the copy of the seizure list has never been handed over to the petitioner nor it is accompanied with the FIR. It is lastly contended that in fact the petitioner is a blacksmith by profession having a small factory in his house and on that premise the FIR has been instituted on suspicion.

5. On the other hand, learned APP for the State vehemently opposed the bail application and submits that the FIR clearly discloses that a mini arms factory has been unearthed which was being run in the house of the petitioner apart from recovery of arms and ammunition from the possession of the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the recovery of



incriminating material suggesting the running of arms factory in the house of the petitioner, this Court is not inclined to enlarge the petitioner on bail for present.

(Harish Kumar, J)

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