

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55729 of 2024**

Arising Out of PS. Case No.-131 Year-2024 Thana- BANMANKHI District- Purnia

MD. HAIDAR SON OF LATE Md. ILIYAS @ Lali Iliyas RESIDENT OF  
VILLAGE - BISANPUR, P.S. - BANMANKHI, DISTRICT - PURNEA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bhola Prasad, Advocate  
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

4      09-12-2024                      Heard Mr. Bhola Prasad, learned counsel for the  
petitioner and the State.

2. The petitioner is in custody in connection with  
Banmankhi P.S. Case No. 131 of 2024 for the offence  
punishable under section 25 (1-b)a of the Arms Act lodged on  
04.04.2024 by the informant, Raj Kumar Chaudhary.

3. As per the prosecution story, the informant alleged  
that the petitioner who under his belt already has CCA Case No.  
02 of 2024 appeared for his attendance. As he was wanted in  
connection with Banmankhi P.S. Case No. 70 of 2024, was  
detained, whereafter, he confessed his involvement in several  
other cases and upon his disclosure, the country-made fire arm  
beside two live cartridges were recovered near the graveyard  
concealed by him. This led to the FIR.



4. Learned counsel for the petitioner submits that the Police in his custody tortured and got a confession which has no value in the eyes of the law.

5. Learned APP on the other hand pointed out that pursuant to the said confession, there is recovery of country-made revolver as also live cartridge and as such, this fact cannot be ignored. Further, he has multiple criminal antecedents.

6. Taking into account the submissions put forwarded by the parties as also the fact that the petitioner is an accused in CCA Case No. 02 of 2024 beside number of other cases, on his confession, the arms used in different criminal act stands recovered/seized, in that background, for the present, this Court is not inclined to extend him the privilege of bail.

7. The present bail application stands rejected.

**(Rajiv Roy, J)**

Adnan/-

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