

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56860 of 2024

Arising Out of PS. Case No.-658 Year-2023 Thana- SIWAN CITY District- Siwan

Rajan Mishra @ Archit Mishra Son of Uday Mishra Resident of village-
Karmaul, P.S.- Asaon, Dist.- Siwan.

... .. Petitioner/s

Versus

The State Of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

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

ORAL ORDER

2 19-08-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Siwan Town P.S. Case No.658 of 2023 registered for the offence
under Sections 25(1-b)a and 26 of the Arms Act and Sections 8,
20(b)(ii)(B) of the NDPS Act.

3. As per FIR, there is recovery of one country
made pistol along with three live cartridges, 440 gram of
contraband i.e. Charas, etc. from possession of this petitioner.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case. It is submitted that alleged
recovery was not made from physical possession of the



petitioner and he has no concern with the alleged recovery. It is submitted that the alleged recovery is less than commercial quantity. It is further submitted that petitioner is in custody since 26.12.2023.

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

6. In view of the submissions, as made above, as it appears from perusal of FIR that recovery of one country made pistol, total 440 gram of contraband i.e. Charas, etc. was recovered from physical possession of this petitioner, where, petitioner is also involved in other cases like NDPS Case, attempt to murder, robbery, etc., this Court is not inclined to grant bail to the petitioner.

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

(Ramesh Chand Malviya, J)

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