

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60395 of 2024

Arising Out of PS. Case No.-200 Year-2024 Thana- SHEKHPURA District- Sheikhpura

Jitendra Kumar @ Jitendra Son of Late Indradev Prasad @ Indradeo Prasad
Resident of Village - Chero, Ward No.12, P.S. Sarmera, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajnish Kumar, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in a case registered for the offence punishable under Section 414 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per allegation in the FIR, informant got a secret information that petitioner along with other co-accused were going to smuggle arms in white color Xylo car bearing registration no. BR-52A-2022. Informant along with other police personnel reached at the spot and apprehended the petitioner along with other co-accused persons with one rifle, two country made pistols and 20 pieces of live cartridges.

4. Learned counsel for the petitioner submits that petitioner has committed no offence and has falsely been implicated in this case and no incriminating articles has been



recovered from the possession of the petitioner. He next submits that the petitioner has no criminal antecedent. He is in custody since 24.04.2024.

5. Learned APP for the State opposes the prayer for regular bail of the petitioner and submits that he is named in the FIR and bail application of similarly situated co-accused person has already been rejected by this Court in Cr. Misc. No. 54576 of 2024 vide order dated 09.08.2024.

6. On perusal of the first information report, seizure list and impugned order dated 10.07.2024, it appears that petitioner is named in the FIR and one rifle, two country made pistol and 20 live cartridges were recovered from the conscious possession of the petitioner and no documents were produced regarding the recovery of the arms, so considering all aspects of the matter, I am not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

saaurabhkr/-

U		T	
---	--	---	--

