

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.65961 of 2024**

Arising Out of PS. Case No.-54 Year-2024 Thana- KARPI District- Jehanabad

Raushan Kumar @ Laddu, aged about 32 years (M), Son of Late Akhilesh Singh, Resident of village-Shembhua, P.S.- Mehandia, District-Arwal at present village - Radhe Bigha, P.S.- Karpi, District - Arwal.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Paras Nath, Advocate

For the Opposite Party : Mr. Aditya Narayan Singh.1, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH**

ORAL ORDER

2      26-09-2024                      Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Karpi (Shahar Telpa O.P.) P.S. Case No. 54 of 2024 dated 23.02.2024 registered for the offences punishable under Sections 25(1A), 25(1AA), 25(1B)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, on 23.02.2024, the informant alongwith other police officials raided the house of Raushan Kumar @ Laddu (petitioner) and recovered several files (Reti), semi-constructed and constructed arms and also arrested several persons Raushan Kumar @ Laddu (petitioner) and the co-accused persons, Mukesh Patel @ Nagendra Kumar Singh, Arti Kumari, Turshi Devi, Ashish Kumar, Nand



Chaudhary, Vishal Kumar, Rahul Kumar, Sunil Kumar, Dashrath Sah, Praveen Kumar, Pankaj Kumar, Sanjay Kumar Sah and Sunil Kumar who were engaged in manufacturing of arms and were brought from Munger. Thereafter, the joint house of Raushan Kumar @ Laddu (petitioner) and the co-accused Mukesh Patel @ Nagendra Kumar Singh was also raided and recovered six pieces of country made pistols, 16 pieces of iron magazines, seven live cartridges and one empty cartridge, 16 pieces of semi-constructed pistols and other articles which were used in manufacturing of arms. The said Raushan Kumar @ Laddu (petitioner) and the co-accused Mukesh Patel @ Nagendra Kumar Singh have disclosed that the manufacturing work was being done near poultry farm in a tiled roof house and on their disclosure, several machines and other articles were recovered from the poultry farm.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is a resident of Village-Shembhua but the seized article is said to have recovered from the house of the co-accused Mukesh Patel @ Nagendra Kumar Singh at Village-Radhe Bigha under Karpi Police Station who is running a Lathe Machine for preparing



grilling the iron in order to prepare doors and fencing as it appears from the seizure list that some iron scrapes are said to have been recovered from his house but the name of this petitioner jointly attached with the seizure list. No incriminating article has been recovered from the joint possession of the petitioner and the co-accused Mukesh Patel @ Nagendra Kumar Singh save and except the Lathe Machine, Gas Cutter Machine as well as iron scrapes and cell phones. It is further submitted that from perusal of the seizure list, it appears that seized articles were recovered from the possession of the co-accused Mukesh Patel @ Nagendra Kumar Singh and not from the possession of the petitioner. The petitioner being the nephew (*Bhagina*) of the co-accused Mukesh Patel @ Nagendra Kumar Singh, has falsely been implicated in the present case. The charge sheet has already been submitted in the present case. The other co-accused, namely, Sumit Kumar, has already been granted bail by a Bench of this Court vide Cr. Misc. No. 42104 of 2024 under order dated 24.06.2024, annexed as Annexure-P/2 to the present bail application. The petitioner has three criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 24.02.2024.

5. Learned A.P.P. for the State has vehemently



opposed the bail petition of the petitioner and submitted that the house of the petitioner was raided and recovered several filters (Reti), semi-constructed and constructed arms and thereafter joint house of the petitioner and the co-accused Mukesh Patel @ Nagendra Kumar Singh was also raided and recovered six pieces of country made pistols, 16 pieces of iron magazines, seven live cartridges and one empty cartridge, 16 pieces of semi-constructed pistols and other articles which were used in manufacturing of arms.

6. Considering the aforesaid facts and circumstances of the case as well as the recovery from the conscious possession of the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Karpi (Shahar Telpa O.P.) P.S. Case No. 54 of 2024, pending in the court of learned Sub-Divisional Judicial Magistrate, Arwal.

7. The application stands rejected.

**(Chandra Prakash Singh, J)**

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