

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66217 of 2023

Arising Out of PS. Case No.-187 Year-2023 Thana- KARAHGAR District- Rohtas

Ramta Ram S/O Late Parma Ram Village/Mohalla- Ubadhi, Ps- Kargahar,
Dist- Rohtas

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Adv.

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

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

ORAL ORDER

5 01-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kargahar P.S. Case No 187 of 2023 instituted for the offences punishable under Sections 25(1-B)A, 26, 25(1-a), 26(1), 25(1-A), 25(1-AA) and 26(2) of the Arms Act.

3. As per the prosecution case, one co-accused Santosh Kumar Singh was arrested with one deshi Katta and on whose statement petitioner was arrested with one deshi katta and thereafter raid was conducted at the house of the petitioner from where several semi manufactured arms were recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. The petitioner has no concern with the alleged recovery. Both the seizure list witness are police personnel which is complete violation of Section 100 of Cr.P.C. He has got no criminal antecedent and he is languishing in judicial custody since 28.05.2023.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. From perusal of the case diary, F.I.R. and seizure list, it appears that F.I.R. registered under Sections 25(1-B)A, 26, 25(1-a), 26(1), 25(1-A), 25(1-AA) and 26(2) of the Arms Act against the petitioner and several semi manufactured arms have been recovered from the house of the petitioner which suggests that he is manufacturer and supplier of illegal arms. According to para 46 of the case diary investigation has already been concluded and submitted charge sheet under Sections 25(1-B)A, 26, 25(1-A), 26(1), 25(1-a), 25(1-AA) and 26(2) of the Arms Act. The allegation against the petitioner is of very serious nature.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, I am not inclined to grant bail to the petitioner.

8. Prayer for regular bail of the petitioner is hereby



rejected.

9. Learned trial Court is directed to conclude the trial within six months after framing of charge.

10. Learned Magistrate is also directed to commit the case within a period of 15 (fifteen) days from the date of receipt of a copy of this order.

(Ramesh Chand Malviya, J)

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