

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71915 of 2024

Arising Out of PS. Case No.-291 Year-2024 Thana- PIRO District- Bhojpur

Dilip Kumar @ Raju Son of Indradev Singh R/O Vill.- Hankar Tola, P.S.-
Piro, Dist.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 21-11-2024 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Piro
P.S. Case No. 291 of 2024, instituted for the offences punishable
under Sections 25(1-B)(a) and 26 of the Arms Act.

3. The prosecution case, in short, is that, there is
recovery of one pistol, two magazine containing 10 live
cartridges, one gun and total 31 live cartridges including 28
bullets and cash of Rs. 7,06,850/- along with other articles have
been recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for



the petitioner also submits that the alleged recovery of arms have been made from the joint house of the petitioner where other family members also reside. It is further submitted that the petitioner has got no concern with the alleged recovery of arms. The petitioner is in custody since 09.07.2024 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is also submitted that para- 11,12 and 13 of the case diary are statement of witnesses who have supported the prosecution case and the recovery. It is further submitted that the alleged recovery of arms have been made from the house of the petitioner and the same also belong to the petitioner. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial expeditiously.

(Rudra Prakash Mishra, J)

Rajorshi/-

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

