

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70309 of 2023

Arising Out of PS. Case No.-88 Year-2023 Thana- PHULWARIA District- Begusarai

MD. AFTAB @ AFTAB @ CHIPPU son of Md. Issrail @ Md. Israeel
Village- Deen Dayal Road Gandhi Nagar W.No-6, Ps- Phulwaria Dist-
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv.

For the Opposite Party/s : Ms.Dr. Indihar Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-01-2024 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends his arrest in Phulwaria P.S.
Case No. 88 of 2023 registered for the offences punishable
under Sections 25(1-b)a, 26 of the Indian Penal Code.

3. The prosecution case, in brief, is that the informant had
received the secret information that some miscreants were made
planning for commit theft in the train near Baruani Railway
Station. After getting the information, the informant along with
police party arrived there and apprehended one co-accused and
on the basis of disclosure made by him, the informant along
with other police personnel raided the house of the petitioner.
On search, several illegal fire arms and ammunition have been



recovered from his house.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No any incriminating article has been recovered from the physical possession of the petitioner. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The house of the petitioner is inhabited by other persons also and he had no knowledge of keeping of the recovered pistols and cartridges in the house. Petitioner has four criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of case as well as the criminal antecedents of the petitioner, I am not inclined to enlarge the him on bail. The prayer for bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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