

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80515 of 2024

Arising Out of PS. Case No.-45 Year-2016 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Navin Singh Son of Narayan Singh Resident of Village- Matiaur, P.S.-
Mohiuddin Nagar, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Prakash Chandra Jha
For the Opposite Party/s : Mr.Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 210-12-2024
1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Mohiuddin Nagar Police Station Case No. 45 of 2016, dated 16.03.2016, disclosing offences punishable under Sections 25(1-b)a/26 of the Arms Act.

3. The prosecution case, as per the First Information Report, is that the police raided the house of the petitioner in connection with execution of non-bailable warrant of arrest issued against the petitioner and on seeing the police, the petitioner fled away. The police searched his room and recovered one loaded pistol of 9 MM (made in Italy) kept beneath the pillow on the bed, containing five



live cartridges.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has not committed any offence in the manner alleged. He further submits that the house is not the exclusive property of the petitioner; rather, other members of his family also reside there. He further submits that the police implicated the petitioner in the present case due to pendency of Sessions Trial No. 58 of 2008.
5. On the other hand, learned Additional Public Prosecutor vehemently opposes the prayer for anticipatory bail and submits that automatic loaded foreign made pistol was recovered from the room of the petitioner in presence of his mother. He further submits that the petitioner has got criminal antecedents also and he has approached this Court for grant of anticipatory bail after about eight years of rejection of his anticipatory bail application by learned Sessions Judge, Samastipur.
6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the automatic loaded foreign made pistol was recovered from the room of the petitioner and the petitioner has



criminal antecedents also, I am not inclined to grant the petitioner privilege of anticipatory bail.

7. This application is, accordingly, dismissed

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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