

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3634 of 2024

Arising Out of PS. Case No.-344 Year-2023 Thana- GAURICHAK District- Patna

Dinju Rai @Dinju Kumar SON OF Ram Sharan Rai RESIDENT OF
VILLAGE- JAMANPUR, PS- GAURICHAK , DIST- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-02-2024 Heard Mr. Sanjay Kumar, learned counsel for the

petitioner and Mr. Humayou Ahmad Khan, learned APP for the

State.

2. The petitioner is apprehending his arrest in connection with Gaurichak P.S. Case No. 344 of 2023, F.I.R. dated 16.06.2023 for the offences punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. According to prosecution case, police is said to have recovered cartridge from the house of the petitioner.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that nothing recovered from the conscious possession of the petitioner so no case is made out against the petitioner under the Arms Act.



5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that from bare perusal of the FIR as well as seizure list it is clear that one cartridge has been recovered from the house of the petitioner.

6. Considering the allegation as alleged in the F.I.R and the fact that the recovery is made from the house of the petitioner, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Gaurichak P.S. Case No. 344 of 2023 pending in the court of learned A.C.J.M.-VI, Patna.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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