

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63551 of 2025

Arising Out of PS. Case No.-12 Year-2024 Thana- Banma Itahari District- Saharsa

Mahboob Alam S/O Late Kalimuddin @ Md. Kalimuddin R/O Village-
Lachminiyan, P.S- Banma Ithari, Dist.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Advocate
For the State : Mrs. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 21-11-2025 Heard Mr. Krishna Prasad Singh, learned Senior

Counsel for the petitioner and learned APP representing the

State.

2. The petitioner is in custody in connection with
Banma Ithari P.S. Case No. 12 of 2024 for the offence
punishable under Sections 25(1-A), 25(1-AA), 25(1-B)a, 26(I)
(II) and 35 of the Arms Act, lodged on 11.04.2024 by the
informant Anil Kumar Singh.

3. As per the prosecution story, the informant alleged
that upon information, the house of the petitioner, Mahboob
Alam was raided and it was found that he/family members are
running the business of manufacturing of illegal arms. Huge
quantity of arms and ammunition were recovered beside semi-
manufactured parts of country made gun/country made



revolvers. As no valid papers were shown and the accused arrested, petitioner being one of them.

4. Though learned Senior Counsel for the petitioner submits that due to enmity, the Police has implicated , learned APP opposes the prayer submitting that number of ammunition recovered/seized and further, as per the Trial Court Report, out of eight witnesses, six have been examined and only two remains.

5. Considering the submissions of the parties as also the allegation that has come against the petitioner, no relief can be extended to the petitioner, accordingly, the bail application is rejected.

6. However, since the petitioner is in custody since 11.04.2024, it is expected that the Trial Court ensure that the trial is taken to its logical conclusion within a period of six months.

(Rajiv Roy, J)

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