

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9509 of 2025

Arising Out of PS. Case No.-291 Year-2024 Thana- BRAHMPURA District- Muzaffarpur

Shashank Raj @ Jonson Maurya, Son of Lakhman Bhagat Resident of
Mohall- Krishna Toli, Brahampur, P.S.- Brahampur, Dist - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 09-05-2025 Heard Mr. Alok Kumar Alok, learned counsel

appearing for the petitioner and Mrs. Sangeeta Sharma, learned

APP for the State.

2. Petitioner seeks regular bail in connection with
Brahampura P.S. Case No. 291 of 2024 dated 22.11.2024
registered for the offences punishable under Sections 310(4), 5
and 3(5) of the B.N.S., 2023, under Sections 25(1-B)a, 26 and
35 of the Arms Act and under Sections 30(a) and 37 of the Bihar
Prohibition and Excise Act.

3. As per the prosecution story, on 22.11.2024, the
informant and other police officials got the secret information
that four to five individuals were consuming liquor and planning
a serious crime, then they reached the spot and upon seeing the
police, suspects tried to flee but the petitioner was apprehended



while others managed to escape in dark. On search, the recovery of a country-made pistol and other items from the possession of the petitioner was made and the petitioner disclosed the names of others, who had fled away from the alleged place.

4. The main submissions advanced by petitioner's counsel are that the petitioner has been languishing in jail since 23.11.2024 and as per the allegation, only one country-made pistol is alleged to have been recovered from the possession of this petitioner, in fact, he was arrested by the police from his house and the alleged offence under Section 37 of the Bihar Prohibition and Excise Act, is completely false as the petitioner was not put on breath analyzer test to find out any material evidence to substantiate the allegation of consuming liquor during the relevant time.

5. Learned APP appearing for the State has opposed the prayer for bail of the petitioner.

6. Heard both the sides and perused the FIR and case diary of this Case. As per the allegation, five accused persons including the petitioner, assembled at the alleged place and the petitioner was apprehended at the spot with firearms in drunken condition and other co-accused persons managed to escape and the FIR itself goes to show that the named accused persons have



remained accused in several crimes and the petitioner is accused in several cases in addition to the present matter. So, considering, these aspects, this Court does not find favour to the petitioner's prayer at this stage. Accordingly, his prayer stands rejected.

7. The petitioner is given a liberty to renew his bail prayer after the framing of charges upon him.

(Shailendra Singh, J)

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