

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75956 of 2025

Arising Out of PS. Case No.-331 Year-2020 Thana- GOGRI District- Khagaria

Shah Mohammad @ Mohammad Khalid @ Shah Md. @ Md. Khalid S/O
Mohammad Rajjak @ Abdul Rajjak @ Mohammad Razzak Khan R/O
Village- Farkana, Pashchim Tola, Gogri, P.S.- Gogri, Distt.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Mumtaz Uddin, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 09-04-2026 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 Gogri Police Station Case No. 331 of 2020, disclosing offences under Sections 25(1-B)A, 26 and 35 of Arms Act.

3. The prosecution case, as per the First Information Report, is that on 07.09.2020 at about 7:40 P.M., the police raided the house of co-accused Md. Mahmood in connection with the stolen articles, and on seeing the police, three persons tried to flee, but the police apprehended two persons, while one person managed to flee. The arrested co-accused persons disclosed the name of the person who fled away as the



petitioner. Upon search of the house in question, the police recovered three country-made pistols, two country-made muskets, five live cartridges, and one empty cartridge. The police also recovered cash of Rs. 1,43,595/- from the house in question.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case due to village politics. The alleged recovery has been made from the house which is not in the exclusive possession of the petitioner and other family members of the petitioner also reside in that house. It is further submitted that the petitioner has been residing at Aligarh, U.P., for the last more than 20 years and he was also not present in the village on the alleged date of occurrence. He further submits that the name of the petitioner transpired on the disclosure of his name by the arrested co-accused persons.

5. Learned Additional Public Prosecutor for the State vehemently opposed the prayer for bail and submits that large number of arms and ammunition have been recovered from the house of the petitioner.

6. Regard being had to the submissions made by the the parties and taking into consideration the fact that large



quantity of arms and ammunition has been recovered from the house of the petitioner and the name of the petitioner has been disclosed by the arrested co-accused persons, which may be the basis of further investigation, I am not inclined to grant the petitioner privilege of anticipatory bail.

7. Accordingly, the prayer for anticipatory bail is rejected.

(Anil Kumar Sinha, J)

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