

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78228 of 2025

Arising Out of PS. Case No.-169 Year-2025 Thana- SAUR BAZAR District- Saharsa

Ajay Das @ Ajay Kumar Das, S/o Suresh Das, R/o - Nariyar, P.S - Saharsa
Sadar, Dsitrit - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Verma, Advocate.
For the State : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 21-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Saur Bazar P.S. Case No. 169 of 2025 registered for the offences punishable under Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. As per prosecution case, arms were recovered from illegal possession of two co-accused who stated to the Police that they had purchased the recovered illegal arms from the petitioner who deals in illegal arms and ammunition. On raid at the house of the petitioner, illegal arms and ammunition including one unfinished arms were recovered from his house.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that charge has already been framed in



this case. He also submits that the house from where the recovery has been made is joint property of his family. He also submits that it is recovered not from the personal possession of the petitioner but from the house of the petitioner and procedure of search and seizure has not been followed at the time of the alleged recovery of arms and ammunition.

5. He further submits that the petitioner has been languishing in jail since 17.07.2025.

6. It has also been stated in paragraph No. 3 of the bail petition that the petitioner has five criminal antecedents.

7. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

8. However, learned APP for the State vehemently opposes the prayer of the petitioner for bail submitting that the petitioner has five criminal antecedents and one of them is similar nature which shows that the petitioner is involved in manufacturing of illegal arms and sell them to the people and it is very dangerous to the people.

9. Considering the aforesaid facts particularly the criminal antecedents including one of similar nature and recovery of illegal arms including unfinished arms from the



house of the petitioner, I am not persuaded to enlarge the petitioner on bail.

10. Accordingly, the prayer for bail of the petitioner stands rejected.

11. However, learned Trial Court is directed to expedite the trial and conclude the same within one year, failing which, the petitioner would be at liberty to renew his prayer for bail.

(Jitendra Kumar, J)

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