

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.44403 of 2014**

Arising Out of PS.Case No. -361 Year- 2014 Thana -PURNEA SADAR District- PURNIA

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Md. Qaisar Zia @ Md. Qaishar Ziya, S/o Md. Jiyauddin, R/o Village -  
Gariwan Tola, Gulabbagh, P.S. - Sadar, Distt. - Purnea.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Md. Bahauddin, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL**  
**ORAL ORDER**

2      03-03-2015      Heard the learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the  
offence punishable under Sections 25 (1-B)a and 26 of the Arms  
Act.

The allegation against the petitioner is that an automatic  
pistol and cartridges were recovered from his possession.

It is submitted that the police has falsely implicated the  
petitioner in this case due to enmity. Md. Ziyauddin, father of the  
petitioner has filed a Misc. Petition No.1131/2014 on 5.05.2014  
against the S.H.O of Purnea Police Station and thereafter, the  
police has implicated the petitioner in several cases. He has been  
in custody since 24.07.2014. After investigation, the charge sheet  
has already been submitted and there is no chance of tempering  
with the evidence and there is also no chance of the early trial of

the petitioner.

The learned counsel for the State submits that the petitioner has several criminal antecedents.

Considering the facts and circumstances of the case, let the above-named petitioner be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in Sadar P.S. Case No.361/2014 **after framing of charge** with the following conditions :

1. One of the bailors will be the close relative of the petitioner.
2. The petitioner will not indulge in similar or in any other offence.
3. The petitioner will be well represented in the court.
4. In case of absence for two consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the court concerned.

**(Amaresh Kumar Lal, J)**

V.K. Pandey/-

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