

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7062 of 2016

Arising Out of PS.Case No. -136 Year- 2015 Thana -MUNGER MUFFASIL District- MUNGER

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Md. Javed son of Md. Ehsaan, resident of Village- Mirzapur, Bardah,
Police Station- Muffasil, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 08-03-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Muffasil (Munger) P.S. Case No. 136 of 2015 registered for the offences punishable under Sections 25 (1-B)a, 25(1-A), 25(1-AA), 25(1-AC) and 26 (i) (ii) (iii) of the Arms Act.

Allegedly, during raid the petitioner was apprehended and from the place of occurrence several tools being used in preparing fire arms and further semi prepared fire arms were recovered as per seizure list.

Submission is of false implication and that from conscious possession of the petitioner nothing has been recovered, he has been made victim of the circumstance, there is no

independent witness regarding the alleged seizure and the petitioner having no criminal antecedent, suffering in custody since 14.07.2015, deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail by submitting that the petitioner is engaged in manufacturing illegal fire arms.

In the facts and circumstances stated above, considering that the petitioner has got no criminal antecedent and, as such, he is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Munger in connection with Muffasil (Munger) P.S. Case No. 136 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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