

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.57878 of 2015**

Arising Out of PS.Case No. -55 Year- 2015 Thana -LODIPUR District- BHAGALPUR

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1. Md. Hasim S/o Md. Kabir Resident of Village-Ustu ,P.s Lodipur, District Bhagalpur.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

**Appearance :**

For the Petitioner/s : Mr. Pramod Kumar Singh

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

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA**  
**ORAL ORDER**

2      30-01-2016      Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner seeks bail in connection with Lodipur P.S. Case No. 55 of 2015 registered for the offences punishable under Sections 25(1-A), 25(1-AA), 25 (1-AC), 26 (i) (ii) (ii) and 35 of the Arms Act.

Allegedly, acting on a tip off that a mini gun factory is being run, raid was conducted in the garden of Md. Mohsin and from a thatched house the Police recovered large number of arms but from possession of the petitioner nothing was recovered.

Submission is of false implication and that the petitioner has been made victim of circumstances, alleged place of occurrence does not belong to the petitioner, with identical

allegation Md. Shamim and Md. Rauj have been allowed bail vide Cr. Misc. No. 51243 of 2015 and as such the petitioner who is suffering in custody since 27.05.2015 having no criminal antecedent deserves sympathetic consideration to which learned APP opposes by submitting that the petitioner was caught at the spot from where mini gun factory was unearthed.

In the facts and circumstances stated above, considering the period of detention of the petitioner, the petitioner above named 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 Sri R. R. Raman, J. M. Ist Class, Bhagalpur in connection with Lodipur P.S. Case No. 55 of 2015, subject to the conditions that one of the bailors must be a 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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