

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37730 of 2016

Arising Out of PS.Case No. -24 Year- 2016 Thana -JAMALPUR District- MUNGER

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1. Md. Monu Son of Late Md. Aslam, resident of Village-Hajratganj Bara,
Gali No. 15, P.S. Kasim Bazar, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manendra Kumar Sinha

For the Opposite Party/s Mr. Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

03/ 11.11.2016 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under sections 25
(I-A)(I-AA)(I-AC) and 26 (i) (ii) of the Arms Act.

24 semi pistols and 24 barrels are said to have been
recovered from the possession of the petitioner while he was carrying
the same in two separate bags and when petitioner was caught, he
disclosed that seized articles belong to one Md Mehtab who had asked
him to carry the seized articles and hand over to one Md. Mano and
for that the above stated Md. Mehtab agreed to pay Rs 200/- per
seized article to him.

Submission on behalf of the petitioner is that seized articles
do not come under the definition of arms because according to the
prosecution case itself, semi finished pistols and barrels were
recovered. It is further submitted that the petitioner is in jail custody

since 12.2.2016 and even if the prosecution story assumed to be true, then also, petitioner was only a carrier and moreover, petitioner does not have any criminal antecedent which is evident from para 3 of the petition. It is also pointed out that co- accused Md. Mehtab has already been admitted to anticipatory bail.

Considering the aforesaid facts and circumstances as well as the period of detention of the petitioner in jail custody, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate III, Munger in Jamalpur P.S. Case no. 24/2016.

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(Hemant Kumar Srivastava,J)

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