

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39733 of 2016

Arising Out of PS.Case No. -433 Year- 2016 Thana -AHIAPUR District- MUZAFFARPUR

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1. Md. Azad Son of Md. Khalik resident of village - Chandwara, Mohalla
Kamara, P.S. Town, District Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Sri Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 19-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with
Ahiyapur P.S. Case No. 433 of 2016 registered under Sections
25(1-B)(a), 26(ii) and 35 of the Arms Act.

It is contended by the learned counsel for the
petitioner that no incriminating article was recovered from
possession of the petitioner. His name transpired on the basis of
confessional statement of one Md. Shakil from whose possession a
country made pistol along with two cartridges was recovered and
he had disclosed the name of the petitioner and two others,
namely, Ujjawal Kumar and Pinkesh Kumar. The aforesaid two
accused persons Ujjawal Kumar and Pinkesh Kumar have already

been granted bail by different Benches of this Court vide order dated 18.08.2016 passed in Cr.Misc. No. 33700 of 2016 and Cr.Misc. No. 32182 of 2016.

Learned counsel for the State does not dispute the aforesaid submission made on behalf of the petitioner. However, he has submitted that the arrested accused Md. Shakil had disclosed before the police that it was the petitioner, Ujjawal Kumar and Pinkesh Kumar, who had supplied him country made pistol and cartridges.

Be that as it may, regard being had to the facts and circumstances of the case, the petitioner Md. Azad is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur P.S.Case No. 433 of 2016.

(Ashwani Kumar Singh, J)

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