

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55465 of 2015

Arising Out of PS.Case No. -338 Year- 2015 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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1. Md. Irshad Alam @ Md. Isar son of Md. Akhtar Hussain, resident of
Mohalla- Ganj Pathan Toli, Ward No. 3, P.S. Town Hajipur, District-
Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyabir Bharti

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

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 11-01-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with registered
under Section 399, 402, 414/34 of the IPC, under section 25(1-
B)a, 26II/35 of the Arms Act and under section 34 of Explosive
Substance Act.

The accusation against the petitioner is that the
petitioner along with 11 others were apprehended by the police
and in course of search one country made pistol with three alive
cartridges were recovered from the possession of the petitioner
whereas other accused persons were also found in possession of
arms and ammunities.

Learned counsel appearing on behalf of the petitioner submits that one country made pistol with three alive cartridges were recovered from the possession of the petitioner but the petitioner has no criminal antecedent and he is in custody since 05.07.2015. Further submission is that similarly situated accused Upnesh Kumar Singh has been allowed bail by a Bench of this court vide order dated 17.12.2015 passed in Cr. Misc. No. 55323 of 2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, 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, Vaishali at Hajipur in connection with Hajipur (Sadar) P.S. case No. 338 of 2015. Out of the two sureties, one must be close relative of the petitioner, who will file an affidavit giving genealogy as to how he/she is related with the petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner.

(Rajendra Kumar Mishra, J)

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