

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51582 of 2016

Arising Out of PS.Case No. -20 Year- 2016 Thana -EAST COLONY District- MUNGER

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Md. Mano Son of Late Sarafat Resident of Mohalla - Hajratganj Bara Gali
No. 9, P.S. Kasimbazar, District - Munger

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajesh Kumar, Advocate

For the Opposite Party : Mr. Harendra Prasad, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-12-2016 Heard the learned counsel for the petitioner and the

learned APP for the State.

Petitioner is languishing in judicial custody since
28.08.2016 in connection with East Colony P.S.Case No.20 of
2016 for offence alleged under Sections 25(1-A(1-AA)(1-AC) and
26(i)(ii) of the Arms Act.

The prosecution case is that the police raiding party
arrived near the railway bridge and apprehended one Md. Aslam
who was carrying a jute bag and on search 16 semi manufactured
country made pistols and 16 barrels have been recovered. The
apprehended person named the petitioner to whom he was going
to supply the said weapons. Accordingly, a seizure list was
prepared.

It has been submitted by the learned counsel for the



petitioner that he is innocent and has been falsely implicated on the confessional statement of a co-accused which has no evidentiary value in the eye of law. It has further been submitted that chargesheet has already been submitted. He further submits that in another case of similar nature he has since been granted the privilege of anticipatory bail by this Court.

However, learned APP for the State submits that the petitioner is named in the FIR, hence opposes the prayer for bail.

From perusal of materials on record, it appears that chargesheet has already been submitted and the petitioner's release from custody would not adversely affect his trial. Thus, in the interest of justice and considering the period of custody, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Sone Lal Rajak, learned Judicial Magistrate, Ist Class, Munger in connection with East Colony P.S.Case No.20 of 2016/G.R.No.574 of 2016.

It is further made clear that this direction for bail is further subject to the condition that the petitioner will not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or



tamper with the evidence and shall appear, in the learned Court below, as may be directed.

In terms of the above observations and directions, this bail application stands allowed.

(Nilu Agrawal, J)

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