

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54294 of 2017

Arising Out of PS.Case No. -185 Year- 2017 Thana -GARAUL District- VAISHALI(HAJIPUR)

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Md. Badre Alam son of Md. Safi Alam, resident of Village- Tehai
Madaripur, P.S.- Meenapur, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar @ Sonu Babu, Advocate

For the Opposite Party/s : Mrs. Renuka Ratnakar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

5 24-01-2018 Heard learned counsel for the petitioner and the

learned APP for the State.

Petitioner is languishing in judicial custody since
07.08.2017 in connection with Goraul P.S. Case No. 185 of 2017
registered for offences punishable under Sections 25(1-b)a, 26 and
35 of the Arms Act.

The prosecution case, as lodged by the police
personnel, is that during night patrolling, they apprehended the
petitioner along with other co-accused and from the possession of
the petitioner one automatic pistol along with two cartridges were



recovered. Accordingly, a seizure-list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent, as he has been acquitted by the Juvenile Justice Board, Muzaffarpur in Meenapur P.S. Case No. 66 of 2014 on 12.06.2017 and the present application has been filed on 09.11.2017. He submits that no overt act has been alleged to have been committed by the petitioner and that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, Vaishali at Hajipur in connection with Goraul P.S. Case No. 185 of 2017, subject to the following condition:

- (1) Both the bailors would be a close relative of the petitioner having



sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.

(Nilu Agrawal, J.)

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