

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9597 of 2019

Arising Out of PS. Case No.-596 Year-2018 Thana- PURNEA SADAR District- Purnia

MD. SHAHNAWAJ ALAM Son of Md. Sirazuddin Resident of Village-
Mansuri Tola, Mahendrapur, P.S.- Sadar, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
21.10.2018 in connection with Sadar Muffasil P.S. Case No. 596
of 2018 for offences punishable under Sections 25(1-b) a/26 of
the Arms Act.

The prosecution case, as lodged by the police
personnel, is that on secret information that a person armed with
pistol is roaming in the market, the police reached the market
place and apprehended the petitioner, who was trying to flee
away. On search, from the possession of the petitioner one
country-made pistol and one live cartridge was recovered, and,
accordingly, a seizure-list was prepared.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and no overt act has been alleged against him. He further submits that charge-sheet has already been submitted there being no allegation of tampering with the prosecution witnesses.

However, learned APP for the State opposes the prayer for bail stating therein that on the confessional statement of the petitioner it was found that he had indulged in stealing of motorcycles as well.

Considering the nature of allegations and the period of custody, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea, in connection with Sadar (Muffasil) P.S. Case No. 596 of 2018, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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