

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17919 of 2019**

Arising Out of PS. Case No.-5 Year-2019 Thana- TERHAGACHH District- Kishanganj

EBRAN KHAN, aged about 25 years, Male, Son of Siddik Khan, Resident of
Village - Pararia, P.S.- Sikti , Distt.- Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ram Prawesh Kumar, Advocate.
For the Opposite Party : Mr.Choubey Jawahar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

2 12-04-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
04.01.2019 in a case for the offence registered under Sections
25(1-b) a, 26 and 35 of the Arms Act.

The prosecution story, in brief, is that the one loaded
country made pistol alongwith one live cartridge is alleged to
have been recovered from co-accused-Sanir Khan.

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the
present case. Charge sheet has been submitted in the present
case. There is no allegation of tampering with the witnesses
alleged against the petitioner. One loaded country made pistol
alongwith one live cartridge is alleged to have been recovered



from co-accused Sanir Khan. There is no recovery of arms from possession of the petitioner. There is no compliance of Section 100 Cr. P.C.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Kishanganj, in connection with Terhagachh P.S. Case No. 05 of 2019.

(Sudhir Singh, J)

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