

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 21869 of 2019**

Arising Out of P.S. Case No.-1 Year-2019 Thana- MUNGER MUFFASIL District- Munger

MD. MONAJIR HASSAN, aged about 22 years, Male, S/o- Ejajul Rahaman
@ Ejajur Rahaman R/o village- Mirjapur, Bardah, P.S.- Muffasil, District-
Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Jha, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar, APP

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER**

2 11-04-2019 Heard the learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
02.01.2019 in connection with Muffasil P.S.Case No.1 of 2019
for the offence alleged under Sections 25(1-A), 25 (1-AA), 25
(1-B)A, 26 and 35 of the Arms Act.

The prosecution case as lodged by the police
personnel is that on secret information that one Md. Gulam @
Gulfan has concealed arms and ammunitions in his house, the
police conducted a raid and apprehended the petitioner along
with co-accused Md. Gulam @ Gulfan. On search from the
house one country made pistol, five live cartridges some half
made pistols and magazines 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 and has been falsely implicated in the aforesaid case. He submits that nothing incriminating article has been recovered from his possession and the petitioner is languishing in judicial custody since more than three months.

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

Considering the nature of allegations, the period of custody as well as the fact that petitioner does not bear any criminal antecedent as stated in para-3 of the present application, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Muffasil P.S.Case No.01 of 2019 to the satisfaction of learned Chief Judicial Magistrate, Munger, 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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