

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34412 of 2019

Arising Out of PS. Case No.-43 Year-2019 Thana- KOTWALI District- Munger

MD. FAIYAZ @ BAUNA Son of Md. Noor @ Noor Mohammad Resident of
Village-Churamba Ward No.20, P.S.-Kotwali (Basudeopur O.P.), District-
Munger.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-05-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 6.2.2019 in a case registered for the offences punishable under Sections 25(1-B) a, and 26 of the Arms Act.

It is alleged that from the possession of the petitioner, a pistol was recovered.

It is submitted by learned counsel for the petitioner that the recovery has been made from the joint family house of the petitioner, hence, the recovery cannot be treated from the conscious physical possession of the petitioner.

Learned APP submits that the recovery of pistol has been made from under the bed of the petitioner and he is named in the F.I.R.



Considering the nature of recovery, the recovery being made from the joint family house of the petitioner and the fact that the investigation has already been concluded and the period in custody, coupled with the fact that the petitioner is not having any criminal antecedent, let the petitioner above named 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 the learned CJM, Munger in connection with Kotwali (Basudeopur) P.S. Case No.43 of 2019.

(Dinesh Kumar Singh, J)

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