

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39204 of 2019

Arising Out of PS. Case No.-997 Year-2018 Thana- FORBESGANJ District- Araria

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JAHIR @ MD. JAHIR, Male, aged about 45 years, Son of Late Jalil, Resident of Village - Bhag Kohaliya, Ward No. 02, P.S.- Forbesganj, District – Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Anil Prasad Singh, Advocate.
For the Opposite Party : Mr.Bharat Bhushan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-06-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 26.12.2018 in a case for the offence registered under Sections 25(1-b)a and 26 of the Arms Act.

The prosecution story, in brief, is that the informant after getting information for causing gun shot injury by the miscreants to one Amit Kumar and one of the miscreants was caught by the public, he alongwith other police personnels reached near Allahabad Bank at Ram Manohar Lohia Path, where he found a miscreant there in injured condition. On being asked by the police the miscreants disclosed his name as Zahir (petitioner) and during course of search of his body, a country made pistol loaded with two live cartridges was recovered from



his possession. The police also recovered an empty cartridge from the road.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. Charge sheet/ prosecution report has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. One country made pistol loaded with two live cartridges was recovered from possession of the petitioner. An empty cartridge was also recovered by the side of road. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

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. Araria, in connection with Forbesganj P.S. Case No. 997 of 2018.

U.K./-

(Sudhir Singh, J)

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