

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51512 of 2019

Arising Out of PS. Case No.-49 Year-2017 Thana- NARPATGANJ District- Araria

MD. KHURSHID (M), aged about 29 years, Son of Late Md. Kuddus,
resident of village- Khaira Garhia, P.S. Narpatganj, District-Araria.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Devesh Kumar Poddar, Advocate.
For the Opposite Party : Mrs. Dr. Indivar Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-08-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
24.04.2019 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 on 06.01.2017,
the informant got information regarding arrest of a person,
namely, Amlesh Yadav, with respect of committing theft of a
Motorcycle on 02.02.2017 and in his confessional statement, he
stated about the complicity of the petitioner in the alleged
occurrence of committing the theft of Motorcycle, one Lava
Mobile and cash of Rs. 13,400/- and further stated that the
petitioner is involving in purchase and sell of illegal fire arms
and on that basis the police reached at the house of the petitioner



and on being search the police recovered seven country made illegal fire arms kept conceal under the pillow and accordingly, the seizure list was prepared, but the petitioner anyhow managed his escape from the house.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Seven country made pistols are said to have been recovered from the joint house of the petitioner. There is no compliance of Section 100 of 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. Araria, in connection with Narpatganj P.S. Case No. 49 of 2017.

(Sudhir Singh, J)

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