

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60312 of 2019

Arising Out of PS. Case No.-102 Year-2019 Thana- PARASBIGHA District- Jehanabad

1. Munna Mustaque @ Md. Munna Mustaque son of Late Karu Mian
2. Md. Illiyas Ansari @ Md. Illiyas son of Md. Malak Mian both R/o village
Dohiya P.S. Paras-Bigha, Dist. Jehanabad

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Ms.Rina Sinha, Advocate

For the Opposite Party : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioners
and the learned APP for the State.

The petitioners seek bail in connection with
Paras-Bigha P.S. Case No. 102 of 2019
instituted for the offence under Section 25(1-B)a,
26 and 35 of the Arms Act.

Upon secret information, the police have recovered the country made rifle and six cartridges from the house of Md. Mustaque and one country made pistol and five cartridges from the house of Md. Illiyas, both of whom are petitioners before this Court.

It is submitted that the recovery is not



attributed from the physical or conscious possession of the instant petitioners and they have falsely been implicated in this case. It is further submitted that the seizure list, which is part of the F.I.R., does not bear signature of any family member and recovery is not in accordance with law.

The petitioner no.1 is an accused in Paras-Bigha P.S. Case No. 100 of 2017 since before, in which, he is on bail whereas petitioner No.2 has no criminal antecedents.

The petitioners are in custody since 16.07.2019.

Learned APP for the State opposed the prayer for bail.

Having considered the rival submissions of the parties, prayer for bail is allowed. Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of the **Judicial Magistrate 1st Class, Jehanabad**, in connection with **Paras-**



Bigha P.S. Case No. 102 of 2019, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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