

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 70390 of 2019**

Arising Out of PS. Case No.-514 Year-2019 Thana- BUXAR District- Buxar

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BISMILLA KHAN Son of Late Haidar Ali Khan Resident of Mohalla -
Shantinagar, Ward No. 34, P.S.- Buxar (T), Distt - Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr.Shyam Bihari Singh

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks bail in a case registered under
Sections 25 (1-B) a, 26, 35 of Arms Act.

Having no criminal antecedent, it is submitted that the
petitioner is in custody since 10.07.2019 on alleged recovery of
a country made pistol and one live cartridge. It is submitted that
the recovery is not in accordance with law and the petitioner has
been falsely implicated in this case.

Learned APP for the State has opposed the prayer.

Considering the rival submissions, this Court is
inclined to accept the submission of the petitioner's counsel.

Let the petitioner above named be released on bail on



his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Buxar in Buxar Town Police Station Case No 514 of 2019 subject to the following conditions:

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

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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