

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78365 of 2019

Arising Out of PS. Case No.-470 Year-2019 Thana- PURNEA SADAR District- Purnia

Wajahul Kamar @ Wajhul Kamar Son of Late Md. Kamruddin @ Late Md. Qamruddin, Resident of Village-Barsouni, P.S.-Sadar, District-Purnea.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Jyoti Prabhakar, Advocate

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 02-12-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Sadar (District-Purnea) P.S. Case No. 470 of 2019, registered for the offences punishable under Section 25(1-b)a, 26, 27 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and nothing incriminating article has been recovered from the possession of the petitioner hence offence alleged under Arms Act is not made out against the petitioner. It is further submitted that pistol with two live cartridges has been recovered from the possession of co-accused Md. Masiur Rahmand and bullet motorcycle does not belong to the petitioner. The petitioner has remained in custody



since 11.09.2019 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case, wherein it appears from the record that no arms was recovered from the possession of this petitioner and the petitioner has remained in custody since 11.09.2019 having no criminal antecedent, let the petitioner above named be released on bail in connection with Sadar (District-Purnea) P.S Case No. 470 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or



tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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