

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10424 of 2020**

Arising Out of PS. Case No.-393 Year-2018 Thana- BIHARSHARIF District- Nalanda

MD. SERAJ @ MD. SIRAJ son of Md. Islam, resident of village Chainpura,  
P.S. Bihar, District Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bindeshwar Prasad Singh  
For the Opposite Party/s : Mr.Shyameshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

5      02-06-2020                      Due to COVID-19 Pandemic, the matter is being  
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For  
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in a case registered under  
Sections 399, 402 of the I.P.C. and 25(1-b)A, 26, 35 of the Arms  
Act.

The prosecution case, in short, is that two country  
made pistols and six live cartridges are recovered.

It has been submitted on behalf of the petitioner  
that the petitioner is in custody since 09.10.2019. Charge sheet



has been submitted in this case. There is no allegation of tampering of witnesses against the petitioner. The name of the petitioner has transpired in the present case on disclosure made by co-accused. No arms is alleged to have been recovered from the possession of the petitioner. The petitioner has remained in custody for about six months.

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

Considering the facts and circumstances of the case and also the lockdown, the petitioner, above named, is directed to be released on bail on his personal bond to the satisfaction of C.J.M., Nalanda (Bihar Sharif) in connection with Bihar P.S. case No.393 of 2018.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

**(Sudhir Singh, J)**

Narendra/-

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