

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18386 of 2020

Arising Out of PS. Case No.-307 Year-2019 Thana- KHAGAUL District- Patna

MD. SAMIR Son of Md. Kashim @ Mohammad Hashim Ahmad Resident of
Village - Mohalla Kawwal Toli, Kanchahari, P.S.- Phulwarisharif, Dist.-
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra

For the Opposite Party/s : Mr.Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-06-2020 The present petition has been taken up for
consideration through the mode of Video conferencing in
view of the prevailing lock-down on account of COVID 19
Pandemic, requiring social distancing.

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

The petitioner seeks regular bail in connection with
Khagaul P.S. Case No. 307 of 2019, registered for the offence
punishable under Sections 25(1-B)a/26 of the Arms Act and
Section 414 of the Indian Penal Code.

The allegation is regarding the petitioner having been
apprehended by the police and upon search, one country made
pistol was recovered apart from one motorcycle.



The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that the petitioner is having a clean antecedent and he has been languishing in custody for more than six months with effect from 20.11.2019. It is further submitted by referring to paragraph no. 11 of the present petition that the motorcycle in question belongs to Md. Arman and the petitioner along with the said Md. Arman and Md. Nanhe had gone to the Danapur Railway Station to see off Md. Nanhe and upon seeing the police, the said Md. Arman had fled away, however, the petitioner was arrested while he was standing near the said motorcycle.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Considering the facts and circumstances of the case as also the submissions advanced by the learned counsel for the petitioner and taking into account the fact that the petitioner is languishing in custody since more than six months and he is having a clean antecedent, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/-



(rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Vth Danapur in connection with Khagaul P.S. Case No. 307 of 2019.

(Mohit Kumar Shah, J)

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