

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20698 of 2020

Arising Out of PS. Case No.-3 Year-2020 Thana- KADWA District- Katihar

Md. Tarique, Son of Md. Anisur Rahman R/O- Sikorna, P.S.- Kadwa, District-
Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh- Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal- A.P.P.

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 04-09-2020 The office has reported that in Para-1 of the petition, wrong section has been given and, similarly, at Para-3 of the petition, it has been averred that petitioner does not have any criminal antecedent, but impugned order reflects that petitioner has some criminal antecedent. However, learned counsel appearing for the petitioner submits that the petitioner has been made accused for the offence of Arms Act, but due to typing error at Para-1 of the petition, in place of Section of Arms Act, it has inadvertently been typed as Section 302 of the I.P.C. He further submits that so far as Para-3 of the petition is concerned, same is correct, because petitioner is not an accused in Balia Belon P. S. Case No.112 of 2019.

Heard learned counsel appearing for the petitioner as well as learned Additional Public Prosecutor appearing for the State through video conferencing.



Petitioner is in custody since 13.01.2019 and seeks bail in connection with Kadwa P. S. Case No.03 of 2020 registered for the offences punishable under Sections 25(1-B)A, 26, 35 of the Arms Act.

According to prosecution case, one country-made pistol and two live cartridges were recovered from the house of the petitioner and, allegedly, the aforesaid country-made pistol has been used in Balia Belon P. S. Case No.112 of 2019.

Submission on behalf of the petitioner is that petitioner is in jail custody since 13.01.2020 and, as a matter of fact, nothing was recovered from conscious possession of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Kadwa P. S. Case No.03 of 2020.

(Hemant Kumar Srivastava, J)

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