

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18177 of 2021**

Arising Out of PS. Case No.-176 Year-2020 Thana- LAUKAHI District- Madhubani

Md Imtiaz @ Imtiyan @ Md Imtiyaj, Son of Md. Najrul, Resident of Village -
Hariraha, Ward No. 3, P.S.- Pato, District - Saptri (Nepal).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Kumari Shubham, Advocate
For the Opposite Party/s : Mr.Nand Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 25-10-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Laukahi
P.S. Case No.176 of 2020 corresponding to G.R. No.1752/2020
registered for the offence punishable under Sections 25(1-b)a/26
of the Arms Act.

There is an alleged recovery of one country made
pistol from the petitioner.

Counsel for the petitioner submits that the petitioner
is innocent. She denies and disputes the entire prosecution case.
She submits that no such recovery has been made from the
petitioner. The recovery is not supported by seizure list in
accordance with law. Having no criminal antecedents, the
petitioner is in custody since 11.09.2020.



Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Jhanjharpur, District-Madhubani, in connection with Laukahi P.S. Case No.176 of 2020 corresponding to G.R. No.1752/2020, subject to the following conditions:

(i) 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.

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



be liable to be cancelled.

This Court would expect that the petitioner’s counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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