

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.17541 of 2021**

Arising Out of PS. Case No.-208 Year-2020 Thana- CHAUSA District- Madhepura

MD. NAAKIR @ MD. NAKIR son of Md Samsul R/O village- Paina, Ward  
No. 14, P.S- Chausa, dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Dr. Sanjay Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Matloob Rab, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY  
ORAL ORDER**

3      28-09-2021      Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 25 (1AA), 25(1-B)(a), 26 and 35 of the Arms Act.

As per the prosecution case, on a raid being conducted it is stated that while two accused persons managed to escape the petitioner and one another person was caught and various articles, details of which have been given in the FIR and are used for manufacture of arms were recovered.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession as alleged in the FIR. The material being relied on by the prosecution is the confessional statement of co-accused Gufran



which is inadmissible. The petitioner is in custody since 4.10.2020 and has no antecedent under the Arms Act.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner having remained in custody for more than 11 months, the petitioner is directed to be enlarged on bail in connection with Chousa P.S. Case no. 208 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Uda Kishunganj, Madhepura.

**(Partha Sarthy, J)**

Spd/-

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