

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26512 of 2021**

Arising Out of PS. Case No.-435 Year-2020 Thana- GOPALPUR District- Bhagalpur

Md. Guljar S/o Md. Nayeem Resident of Village- Sujaalpur, P.S.- Muffasil,
District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjan Parihar
For the Opposite Party/s : Mr.Umeshanand Pandit,APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 30-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Gopalpur P.S. Case No. 435 of 2020, registered for the offence under Sections 25(1-AA), 25(1-b)a, 26(1)(2) and 35 of the Arms Act.

As per the prosecution case, five pieces of country-made pistol with empty magazine and a card board packet containing twenty pieces of live cartridges have been recovered from the possession of the petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner and petitioner has been arrested only on suspicion. Seized arms and ammunition were kept in the bus beneath a seat and this petitioner was travelling in the said bus. Petitioner has got clean



antecedent and he is in custody since 23.11.2020.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner 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., Naugachia, Bhagalpur in connection with Gopalpur P.S. Case No. 435 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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