

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31368 of 2021

Arising Out of PS. Case No.-383 Year-2020 Thana- NAUTAN District- West Champaran

MURAD HUSSAIN Son of Late Rahmat Ali Resident of Village - Gumniya,
P.S.- Bishambharpur, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Advocate

For the Opposite Party/s : Mr. Arvind Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-12-2021 Heard Mr. Sanjeev Kumar Shrivastava, learned
counsel for the petitioner and Mr. Arvind Kumar Pandey,
learned Additional Public Prosecutor appearing for the State
through video conferencing.

Petitioner seeks regular bail in connection with
Nautan P.S. Case No. 383 of 2020 registered for the offences
punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act.

The allegation as per the First Information Report
that the Police on receiving confidential information that three
persons have assembled near Mangalpur Dhala for sale and
purchase of the illegal firearm, proceeded towards the place of
occurrence and upon seeing the Police Party, the accused
persons started fleeing away, but they were apprehended by the
Police. On search, one pistol was recovered from possession of



the arrested person, namely, Afsar Ali.

Learned counsel for the petitioner submits that no firearm and/or incriminating material has been recovered from possession of the petitioner and the petitioner has got no criminal antecedent. Learned counsel further submits that the firearm has been recovered from the possession of the co-accused Afsar Ali. He next submits that the petitioner is in custody since 3.10.2020, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence.

Regards being had to the submission made by the parties and taking into consideration the materials on record and the fact that the firearm has been recovered from possession of the co-accused Afsar Ali, the petitioner is in custody since 3.10.2020 and he has got no criminal antecedent, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular 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, Bettiah, West



Champaran, in connection with Nautan P.S. Case No. 383 of 2020.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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