

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34991 of 2021

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

MD GUFRAN S/o Md. Ali @ Mohammad Ali R/o village- Sapardah, Ward
No. 8, P.S.- Puraini, Distt.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rupesh Kumar

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-09-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 25(1AA), 25(1-b)a, 26/ 35
of Arms Act.

As per the prosecution case, on secret information
house of Md. Nakeer was searched and one automatic pistol,
one Deshi pistol, two magazine, one Deshi Katta and tools for
manufacturing fire arms were recovered and this petitioner
along with one another co-accused person were arrested on the
spot.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. No incriminating article has been recovered from the
conscious possession of the petitioner and he is no way
concerned with the alleged recovery rather recovery has been



made from the house of co-accused, Md. Nakeer. Petitioner claims clean antecedent and is in custody since 04.10.2020 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, 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 Sub divisional Judicial Magistrate, Udakishunganj in connection with Chausa PS case No. 208/2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/ her absence on two consecutive dates without sufficient reason, his/her 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.

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(Prabhat Kumar Singh, J)

