

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41014 of 2021**

Arising Out of PS. Case No.-73 Year-2021 Thana- CHHATAUNI District- East Champaran

MD. IRSAD @ MD. IRSHAD ALAM Son of Md. Reyazuddin @ Md. Reyazuddin Ansari Resident of Village, P.S. and P.O.- Madhuban, District- Motihari.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar Ray, Adv.

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, Adv.

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

2 04-10-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 399, 402 and 414 of the Indian Penal Code and sections 25(1-B)(a), 26 and 35 of the Arms Act.

As per the prosecution case, on receiving information about the accused persons preparing to give effect to an occurrence, a raid was conducted and it is stated that a loaded pistol and 4 live cartridges was recovered from possession of the petitioner.

It is submitted by learned counsel for the petitioner that he has been falsely implicated in the case. No incriminating article has been recovered from the possession of the petitioner.



He has no criminal antecedent and is in custody since 27.2.2021. Chargesheet has been submitted in the case.

It is submitted that the urgency for taking up this matter is the exam schedule of the petitioner of B.A.(Honours) conducted by Babasaheb Bhimrao Ambedkar Bihar University, admit card of the petitioner having been brought on record along with the mention slip to show that the examination is commencing from 5.10.2021.

The prayer for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner having remained in custody for more than 7 months, the Court directs the petitioner to be enlarged on bail in connection with Chhatauni P.S. Case no.73 of 2021 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 Chief Judicial Magistrate, East Champaran.

(Partha Sarthy, J)

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