

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9571 of 2021

Arising Out of PS. Case No.-98 Year-2020 Thana- GARDANIBAG District- Patna

MD. AZAD aged about 35 years Son of Md. Yunus Resident of Mohalla -
Bakarganj Bajaja Gali, Police Station- Pirbahore, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Mouar, Advocate

For the Opposite Party/s : Mr.Binod Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-08-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 25, 25 and 35 of the Arms Act.

As per the prosecution case, on the disclosure made by this petitioner and other accused persons huge quantity of arms and ammunition were recovered from the house of co-accused Dhiraj Kumar.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner or from the house of this petitioner. Arms and ammunition have been recovered from the house of co-accused Dhiraj Kumar. He is in custody since 16.2.2020. Charge sheet has already been submitted.

Considering the rival submissions of the parties, materials available on the record and the fact that the



petitioner is in custody for about one year and six months, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate XIV, Patna in Gardanibagh Police Station Case No. 98 of 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.

(Prabhat Kumar Singh, J)

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