

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 894 of 2021**

Arising Out of PS. Case No.-232 Year-2020 Thana- BELDOUR District- Khagaria

MD KALAM Son of Sosalimuddin Resident of Village- Roiyama, P.S.-
Beldaur, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Bishweshwar Ram, Advocate
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 22-03-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Beldaur Police Station (for
brevity, *PS*) Case No 232 of 2020, GR No 2505 of 2020
instituted for the offence punishable under Sections 25 (1-
b)a/26/35 of Arms Act.

Since 23.08.2020, the petitioner is in custody on
alleged recovery of a country made *musket* along with three live
cartridges from a wooden box, close to his courtyard.

Learned counsel for the petitioner submits that the
petitioner has no criminal antecedent and has falsely been
implicated in this case. There is no recovery from petitioner's
conscious possession. Seizure is not in accordance with law.

Learned APP has opposed the prayer for bail.



Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate V, Khagaria in Beldaur PS Case No 232 of 2020, GR No 2505 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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