

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1597 of 2021**

Arising Out of PS. Case No.-29 Year-2020 Thana- KHAJAULI District- Madhubani

MD.TUFAIL@AEJAJ, Son of Md. Jafar, Resident of Village- Bhakua, P.S.-
Khajauli, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate
For the Opposite Party/s : Mr. Dinesh Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 10-03-2021 Heard Mr. Subhash Kumar Jha, learned Counsel for the
petitioner and Mr. Dinesh Singh, learned Additional Public
Prosecutor for the State, through Video Conferencing.

This application, for grant of regular bail, arises out of
Khajauli Police Station Case No. 29 of 2020, corresponding to
C.R.I. No.439 of 2020, disclosing offences under Sections 25(1-
b)A, 26, 35 of Arms Act.

The allegation, as per the First Information Report is
that one misfired cartridge has been recovered from the possession
of the petitioner.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged and
he has falsely been implicated in this case due to ulterior motive.
Learned counsel next submits that procedure prescribed for search



and seizure has not been followed at the time of alleged recovery of cartridge which has allegedly been recovered from the possession of the petitioner. Learned counsel further submits that petitioner is in custody since 12.03.2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that petitioner is in custody since 12.03.2020 having no criminal antecedent and the chargesheet has already been submitted in this case, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, Md. Tufail @ Aeja, 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 Sri Sanjay Kumar, learned Judicial Magistrate, Ist Class, Madhubani, in connection with Khajauli Police Station Case No. 29 of 2020.

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

(Anil Kumar Sinha, J)

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