

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3615 of 2021

Arising Out of PS. Case No.-247 Year-2020 Thana- RUNISAIDPUR District- Sitamarhi

MD SADDAM Son of Md. Hamid @ Mohammad Hamid Rain Resident of
Village- Rain Kharka, Ward No. - 08, P.S.- Runni Saidpur, District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 21-06-2021

In view of sudden surge of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Runni Saidpur PS Case No. 247 of 2020 registered under Sections 25(1-B)A, 26, 35 of the Arms Act.

The allegation in the FIR is alleged recovery of country made loaded pistols from the petitioner along with co-accused Vijay Mahto.

It is submitted that the petitioner is in custody since 9.6.2020. The recovery is denied and disputed and it is submitted that the same is not in accordance with law. The petitioner has been earlier accused in three cases and in all the three cases he is on bail. Co-accused Vijay Mahto having similar allegation has been allowed



bail in Cr. Misc. No. 2523 of 2021.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Sitamarhi in Runni Saidpur PS Case No. 247 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.

(Madhuresh Prasad, J)

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