

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9883 of 2021**

Arising Out of PS. Case No.-328 Year-2020 Thana- BUXAR MUFFSIL District- Buxar

Sarafat Hussain Son of Afjal Hussain Resident of Village-Bazar Samiti
Mahatma Gandhi Nagar, P.S- Buxar (Town), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Adv.

For the State : Mr. Pawan Kumar Chaurasiya, APP.

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

2 07-06-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through video
conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Buxar (M) P.S. Case no.
328 of 2020 registered under sections 25(1-B)(a), 25(1-AA), 26
and 35 of the Arms Act.

As per allegation in the FIR, a country made pistol
and a live cartridge was recovered from the possession of the
petitioner.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from his
possession. He has been falsely implicated in the case. He is in
custody since 10.10.2020 and has no criminal antecedent.



The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the period in custody and the petitioner not having any criminal antecedent, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Buxar (M) P.S. Case no. 328 of 2020 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, Buxar.

(Partha Sarthy, J)

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