

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11700 of 2022

Arising Out of PS. Case No.-640 Year-2021 Thana- MADHEPURA District- Madhepura

Md. Bittu @ Md. Aslam @ Aslam, Son of Md. Saifat Ali @ Mohammad Sefat Ali, Resident of Village - Masjid Chowk, Ward No.11, P.s.- Madhepura, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha, Advocate

For the Opposite Party/s : Mrs. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-07-2022 Heard learned counsel for the petitioner and learned APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Madhepura P.S. Case No. 640 of 2021 registered for the alleged offences under Sections 25 (1-B)a, 26 and 35 of the Arms Act.

Allegedly, the petitioner was apprehended with a loaded pistol and a live cartridge.

The learned counsel for the petitioner submits that the petitioner is innocent and nothing has been recovered from his



conscious possession. He has been falsely implicated in this case. The petitioner has been made accused in a number of cases by the police. He is in custody since 12.08.2021 and the charge sheet has been submitted in this case.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the fact that charge sheet has been submitted and further considering the period of custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S. Case No. 640 of 2021, subject to the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of the petitioner.
- (iii) The petitioner will remain present on each and every date fixed by the court below.
- (iv) In case of absence for three consecutive dates or in violation of the terms of the bail, the



bail bond of the petitioner will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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