

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22886 of 2022

Arising Out of PS. Case No.-453 Year-2021 Thana- NARPATGANJ District- Araria

Sajjad @ Sajad Miyan S/o Khalil Miyan Resident of Village- Inarwa Ward
No.08, P.S.- Inarwa, District- Sunsari (Nepal)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Alok Kumar Choudhary, Advocate.
For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-07-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Narpatganj (Basmatiya) P.S. Case No. 453 of 2021 lodged under
Sections 25(1-b)a, 26, 35 of Arms Act.

The allegation as per the F.I.R. is that the border area
of Nepal and India police party has arrested two persons who
were coming from Nepal and entering into India upon raid arms
were recovered from the possession of both of them.

Learned counsel for the petitioner submits that one
desi katta and one live cartridges were recovered from the
possession of the present petitioner. He further submits that he is



in custody since 01.11.2021. He further submits that charge sheet has already been filed in this case and inform to this court that the other co-accused has been granted bail the Co-ordinate Bench of this Court vide order dated 12.07.2022 passed in Cr. Misc. No. 12178 of 2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Araria in connection with Narpatganj (Basmatiya) P.S. Case No. 453 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the



petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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