

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35424 of 2021

Arising Out of PS. Case No.-915 Year-2020 Thana- MADHEPURA District- Madhepura

MD AOSIM @ AOSIM SON OF MD. NIYAJUL R/O VILLAGE-
MIRJAPUR BARDAH, P.S.- MUFFASIL, DISTRICT- MUNGER.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Jha

For the Opposite Party/s : Mr. Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 21-03-2022 Heard learned counsel for the parties.

Petitioner seeks regular bail in connection with Madhepura P.S. Case No. 915 of 2020 registered for the offence under Sections 25 (1-b)a , 26 , 35 of the Arms Act.

Prosecution case in brief is that Police after receiving information that one Shyam Kumar Paswan along with other accused persons are engaged in manufacturing of illegal arms, proceeded towards the place of occurrence and recovered several equipments and semi manufactured part of fire arms from the hut of co-accused Shyam Kumar Paswan and also arrested three accused persons including the petitioner.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and he has not committed any offence in the manner alleged. Learned counsel



next submits that from the seizure list it would be evident that the equipment meant for manufacturing of illegal arms has been recovered from the hut of co-accused / Shyam Kumar Paswan and one mobile of Samsung make has been recovered from the possession of the petitioner. He next submits that three persons were arrested from the spot out of whom Shyam Kumar Paswan and Md. Munna have been granted bail by different Co-ordinate Benches of this Court vide Cr. Misc. No. 27742 of 2021 and Cr. Misc. No. 31614 of 2021 respectively. He next submits that another co-accused / Kundan Paswan @ Kundan Kumar Paswan has also been enlarged on bail vide Cr. Misc. No. 36649 of 2021 by this court. Learned counsel next submits that petitioner is in custody since 6-12-2020.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that similarly situated co-accused persons have been granted bail by different Co-ordinate Benches of this Court and petitioner is in custody since 6-12-2020, as such, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (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. 915 of 2020 on
the following condition:-

(a) that both the bailors shall be resident of the
territorial jurisdiction of the learned court below.

(b) that the petitioner shall fully co-operate with
the trial of the case, failing which the learned court
below shall be at liberty to cancel the bail bond of the
petitioner.

(c) that the petitioner shall not leave the
country without permission of the learned court
below.

(Anil Kumar Sinha, J)

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