

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29841 of 2022

Arising Out of PS. Case No.-282 Year-2021 Thana- KANTI District- Muzaffarpur

Md. Hasnain, Son of Md. Sabir R/o Village - Paharpur (Sadatpur), P.S.- Kanti,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudal Singh, Advocate.

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-08-2022 Heard Mr. Rudal Singh, learned counsel appearing on
behalf of the petitioner and Mr. Md. Aslam Ansari, learned
A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Kanti P.S. Case No. 282 of 2021 for the offence punishable
under Sections 25(1-AA) and 26 of the Arms Act.

The prosecution story, in brief, is that the petitioner
was apprehended with one loaded country made pistol.

Learned counsel appearing on behalf of the petitioner
submits that earlier prayer for bail of the petitioner was rejected
vide order dated 08.04.2022 passed in Cr. Misc. No. 47515 of



2021 by this Court with liberty to renew the prayer after completion of nine months custody. He further submits that the petitioner is in custody since 11.04.2021. Charge sheet has already been submitted. Nothing has been recovered from conscious possession of the petitioner. He has been implicated in this case as two more cases are pending against him.

Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

Considering the nature of allegation made in the F.I.R. as well as period of custody, charge sheet has already been submitted and there is no likelihood of the trial being concluded in the near future, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate (West)-III, Muzaffarpur in connection with Kanti P.S. Case No. 282 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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