

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31613 of 2022

Arising Out of PS. Case No.-96 Year-2022 Thana- MOTIPUR District- Muzaffarpur

MD. ASIF @ MD. ASIF ALI S/O Md. Ushman Resident of village - Premi
Chhapra, P.S.- Kanti, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.,Advocate
For the Opposite Party/s : Mr.Choubey Jawahar,APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-08-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of
four weeks from today.

The petitioner seeks bail in connection with Motipur P.S.
Case No. 96 of 2022 registered for the offence under Sections 25(1-
b)a, 26, 35 of the Arms Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 09.03.2022.

The allegation against the petitioner is that one live
cartridge is recovered from the possession of the petitioner.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner has falsely been implicated in the present
case, where recovery appears to be doubtful. It has further been
submitted that petitioner is a man of clean antecedent. While



concluding the argument, it has been submitted that investigation is complete, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery has not been made from the conscious physical possession of the petitioner, who is a man of clean antecedent coupled with the fact that charge-sheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Motipur P.S. Case No. 96 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-2nd (West), Muzaffarpur subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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