

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35769 of 2022**

Arising Out of PS. Case No.-102 Year-2022 Thana- SASARAM NAGAR District- Rohtas

Md Seraj Ali Son Of Md. Niyaju Ali Resident of Mohalla- Chiktoli, P.s.-  
Sasaram Nagar, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rakesh Dubey, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      19-09-2022                      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  
Sasaram (T) Darigaon P.S. Case No. 102 of 2022 lodged under  
Sections 25(1-b)a/26/35 of the Arms Act.

As per the prosecution case, the recovery of arms has  
been made by the information disclosed by the petitioner. There  
are 2 accused persons in the F.I.R.

Learned counsel for the petitioner submits that  
petitioner is innocent and has committed no offence. The case  
has been filed by the police indicating that the recovery has  
been made from a bush upon the information disclosed by the

petitioner, meaning thereby, that the said recovery has not been made from the conscious possession of the petitioner. Learned counsel for the petitioner submits that petitioner is in custody since 05.02.2022 that is near about seven and half months. He further submits that his antecedent is clean. He further submits that he is ready to fulfill all the conditions whatsoever shall be imposed upon him.

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.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned CJM at Sasaram, Rohtas in connection with Sasaram (Nagar), Darigaon P.S. Case No. 102 of 2022, 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 be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship 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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