

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45057 of 2021

Arising Out of PS. Case No.-141 Year-2020 Thana- TARAPUR District- Munger

MD. SHAMSHER Son of Md. Makbul Resident of Village- Madarpur,
Makwa, P.S.- Asarganj and District- Munger.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar Verma, Adv.

For the Opposite Party/s : Md. Anbzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 25(1-A)(1-AA), 25(1-B)(a), 26(i)(ii) and 35 of the Arms Act.

As per the prosecution case, two accused persons on a motorcycle seeing the police personnel made an attempt to escape but one of them was caught and five pistols were recovered from his possession. On enquiry, he stated that he was going to sell the pistols to the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner was neither arrested at the spot nor any incriminating article has been recovered from his possession. He has been falsely implicated in the case because of his



antecedent. He is in custody since 5.2.2021 and chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R. together with the petitioner having remained in custody for over 11 months, the Court directs the petitioner to be enlarged on bail in connection with Tarapur P.S. Case no.141 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge III, Munger.

(Partha Sarthy, J)

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