

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.58191 of 2021**

Arising Out of PS. Case No.-128 Year-2021 Thana- LAKHISARAI District- Lakhisarai

Md. Sultan S/o Md. Mamur R/O Village-Mubarak Chak, P.S-Muffasil,  
District-Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Dr. Anjani Pd. Singh, Advocate

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      11-04-2022                      Heard counsel for the parties.

The petitioner is in judicial custody in connection with  
Lakhisarai P.S. Case No. 128 of 2021 dated 25.2.2021 under  
section 25(1-B)a/26/35 of the Arms Act.

As per prosecution case, the police patrol in course of  
patrolling reached near the clinic of Kamal Nayan upon  
information that arms are going to be delivered. As they reached  
the place, they saw a person coming on a motorcycle and  
handing over arms to another person. Both of them were  
apprehended who disclosed their names as Saurar and Md.  
Sultan (the petitioner herein). A country made pistol was  
recovered from the possession of the petitioner herein who  
failed to produce any document in support of the arms.  
Accordingly, both of them were arrested. It is under these



circumstances that the FIR came to be lodged.

Taking into account that charge-sheet has already been submitted in the matter and there is no question of tampering with the evidence as also the petitioner is in jail since the date of occurrence i.e. 26.2.2021, let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai, in connection with Lakhisarai P.S. Case No. 128 of 2021 subject to the following conditions:

(i) one of bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his



bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall take steps for cancellation of his bail bonds.

**(Rajiv Roy, J)**

Ravi/-

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