

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60303 of 2021

Arising Out of PS. Case No.-351 Year-2021 Thana- BETTIAH CITY District- West
Champaran

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SAMEER AKHTAR S/o ABID HUSSAIN @ ABID HUSEN R/o VILLAGE-
JOGIYA DEORAJ WARD No.10, POLICE STATION- RAMNAGAR,
DISTRICT-WEST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Bettiah Town P.S. Case No. 351 of 2021 instituted for the
offences under Sections 399, 402, 413, 414 of the Indian Penal
Code read with Sections 25(1-b)a, 26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 05.06.2021, charge-sheet has been
submitted and has antecedent of three cases.

Allegation is of recovery of one loaded country made
pistol along with a motorcycle from the possession of the
petitioner.



Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case and nothing has been recovered from his possession. Petitioner came to be implicated in the present case based on his antecedent. Learned counsel further submits that even assuming what has been alleged is true without admitting then it is a case under the Arms Act and the petitioner has remained in custody for more than nine months.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody and charge-sheet has been submitted, let the petitioner above named be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Town P.S. Case No. 351 of 2021, subject to the condition that one of the bailors shall be the father (Abid Hussain @ Abid Husen) of the petitioner.

(Satyavrat Verma, J)

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