

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61609 of 2021

Arising Out of PS. Case No.-62 Year-2021 Thana- PHULWARIA District- Begusarai

MD. SADDAM Son of Munna Resident of Village - Phulwaria, 02, Pokhar
Mor Muhalla, P.s.- Phulwaria, Distt.- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bishweshwar Ram
For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 31-03-2022

Heard.

The petitioner seeks regular bail in connection with
Phulwaria P.S. Case No. 62 of 2021, G.R. No. 1162 of 2021, registered
for the offence punishable under sections 25(1-b)a, 26, 35 of the
Arms Act.

The allegation is regarding the police force having
arrested the petitioner and co-accused person namely Govind
Kumar and upon search, one loaded country made pistol and one
live cartridge were recovered from the possession of the co-accused
person namely Govind Kumar.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case and is languishing in custody since 12.04.2021. The
learned counsel for the petitioner has further submitted that
though the petitioner has been made accused in three other cases,



but he is already on bail in the said three cases. It is also submitted that as far as the petitioner is concerned, no illicit arm/ ammunition has been recovered.

Per contra, the learned APP for the State, has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the parties and taking into account the materials available on record as also considering the fact that no illicit arms/ ammunition have been recovered from the petitioner and he is languishing in custody in the present case since about one year, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail- bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of Additional Chief Judicial Magistrate-I, Begusarai, in connection with Phulwaria P.S. Case No. 62 of 2021, G.R. No. 1166 of 2021.

(Mohit Kumar Shah, J)

Tiwary/-

U			
---	--	--	--

