

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.54482 of 2022**

Arising Out of PS. Case No.-128 Year-2022 Thana- MADHAURAH District- Saran

Sahid Ajam S/o Mainul Hoda Resident of Village- Surwania, P.S.-
Manjhagarh, District- Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Harsh Anuj, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 16-12-2022 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by the Stamp Reporter
within two weeks.

Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Madhaura P.S. Case No. 128 of 2022
registered for the offences punishable under Sections 399, 402,
414 of the Indian Penal Code and Section 25(1-b)a, 26, 35 of the
Arms Act. He is in custody since 27.02.2022. He has got two
criminal antecedents.

Learned counsel for the petitioner submits that the
allegation against the petitioner is that from his possession, one
country-made pistol and one live cartridge have been recovered.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner is in custody since 27.02.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is alleged that from possession of the petitioner, one country-made pistol and one live cartridge have been recovered but in connection with this case, he has remained in custody since 27.02.2022 and at this stage, there is no submission on behalf of the State that his release is likely to result in tampering with the evidence or interfering with the course of trial, this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Madhaura P.S. Case No. 128 of 2022, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage



it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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