

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68049 of 2021

Arising Out of PS. Case No.-352 Year-2021 Thana- SIWAN CITY District- Siwan

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ASHIR @ MD. ASHIR @ VIKKY Son of Ashfaq Ahmad @ Saheb Resident
of Village- Dakhin Tola, P.S.- Siwan Town, District- Siwan, Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prashant Kumar, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Siwan
Town P.S. Case No. 352 of 2021 registered under Sections 160,
506, 34 of the Indian Penal Code read with Sections 25(1-b)a,
26, 27 and 35 of the Arms Act.

Learned counsel for the petitioner submits that
petitioner is in custody since 05.07.2021, charge-sheet has been
submitted in the case, has antecedent of five cases and
allegation is of recovery of one country made pistol alongwith
two cartridges and one bullet from the possession of the
petitioner.

Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the present case. No
incriminating material has been recovered from the possession



of the petitioner and even presuming what has been alleged is true without admitting the same for the purposes of bail that the allegation is under the Arms Act and petitioner has remained in custody for nearly 10 months.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 05.07.2021 and charge-sheet has been submitted in the case, let the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Siwan Town P.S. Case No. 352 of 2021 with a condition that one of the bailors shall be the father of the petitioner namely Ashfaq Ahmad @ Saheb.

(Satyavrat Verma, J)

ved/-

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