

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67868 of 2021

Arising Out of PS. Case No.-459 Year-2021 Thana- KATIHAR NAGAR District- Katihar

MD. ALI Son of Md. Mansoor Resident of village - Makhdumpur, Hafla,
P.S.- Muffasil, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

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

The petitioner seeks regular bail in connection with
Katihar Nagar (Sahayak) P.S. Case No. 459 of 2021 for the
offence registered under Sections 25(1-b)a, 26 and 35 of the
Arms Act.

The allegation is regarding the petitioner having been
apprehended by the police party, which was on patrolling duty
and upon search one country made pistol along with live
cartridge was recovered from the person of the petitioner.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case and he is languishing in custody since 21.08.2021.
The learned counsel for the petitioner has further submitted that



though the petitioner is accused in one other case but he is on bail in the said case. It is also submitted that the petitioner has already been suitably punished on account of the period of incarceration.

Per contra, the learned counsel 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 learned counsel for the petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. I/C, Katihar in connection with Katihar Nagar (Sahayak) P.S. Case No. 459 of 2021.

(Mohit Kumar Shah, J)

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