

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71939 of 2021**

Arising Out of PS. Case No.-148 Year-2021 Thana- KURSAKANTA District- Araria

MD. SAMIR @ MD. IMRAN S/O MD. SAHID @ MD. SAHIDULLAH R/o
village- Mahnar Kazibag Hazipur, Ward No. 08, P.S.- Mahnar, District-
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate

For the Opposite Party/s : Ms. Anita Kumari Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 17-05-2022 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 bail in a case registered for the
offences punishable under Sections 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 01.08.2021, charge-sheet has been
submitted and has antecedent of one case.

Allegation is of recovery of one loaded country made
pistol along with three live cartridges from the petitioner.

Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the present case and



nothing 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, the thrust of allegation is 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 since 01.08.2021 and charge-sheet has been submitted, the petitioner, above named, is directed to 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 Court below where the case is pending in connection with S.T. No. 309 of 2021 arising out of Kursakanta P.S. Case No. 148 of 2021, subject to the condition that one of the bailors of the petitioner shall be his father Md. Sahid @ Md. Sahidullah.

(Satyavrat Verma, J)

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