

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1918 of 2022

Arising Out of PS. Case No.-385 Year-2021 Thana- CHHATAUNI District- East Champaran

SAHABAJ MOHAMMAD Son of Md. Kyamuddin @ Kyamuddin Resident
of Village - Ganga Pipar, P.S. - Chiraiya, District - East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offences punishable under 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 13.10.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Allegation is of recovery of a loaded country-made
pistol along with a live cartridge and a motorcycle.

Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case, the
case has been instituted under the Arms Act when there is
allegation of recovery of a motorcycle also that in itself



demonstrates that the F.I.R. was instituted in haste. Learned counsel further submits that the petitioner is a young boy of 19 years of age with clean antecedent and if he remains in jail for a long time then the same would adversely affect and jeopardise his career as he could come in contact with hardened criminals.

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 13.10.2021, is a person with clean antecedent, charge-sheet has been submitted in the case and is a young boy of 19 years, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten 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 Chhatauni P.S. Case No. 385 of 2021 with a condition that one of the bailors of the petitioner shall be his father Md. Kyamuddin @ Kyamuddin.

(Satyavrat Verma, J)

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