

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28283 of 2023

Arising Out of PS. Case No.-451 Year-2022 Thana- MUNGER MUFFASIL District- Munger

MD. MOFID S/o- MD. KAMRUDDIN Village- Mirzapur Bardhay Ps-
Muffasil Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjiv Kumar Singh

For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 24-05-2023 Heard the learned counsel for the petitioner and
learned APP for the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Munger
Muffasil P.S. Case No. 451 of 2022 registered for the offence
under Sections 25(1-A), 25(1-AA), 25(1-b)a, 26(i)(ii), 35 of the
Arms Act.

The prosecution case in short is that on 18.12.2022 at
9.30 O'clock the informant along with armed forces departed
from the police station in day Patrol. During the patrol, at
around 13.30 O'clock a secret information was received near
Sitalpur Tinbatia that Md Mofid(petitioner) a resident of village



Mirzapur Bardah makes and sells weapon at his house and person with an illegal weapon can also be caught on a quick raid. After that he departed for Mirzapur Bardah and with the help of Local Chowkidar reached the house of Md. Mofid and started searching. A person was present at the room of the house and on asking his name and address he told his name as Md. Mofid. On search of his body, three cartridges each marked with 7.65 bore and one black colour key-pad mobile was recovered from his possession. At the behest of Md Mofid a plastic bag was recovered from the cellar which was in the court-yard of the house. On opening the plastic bag, one iron drill machine, one iron base machine, Burma, one magazine Farma and other equipments used in manufacturing of arnis were recovered and seizure-hist was prepared accordingly.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedents and no incriminating article has been recovered from the possession of the petitioner and only on the basis of suspicion he has been arrested.

Learned counsel for the petitioner also submits that the petitioner is in custody since 19.12.2022.

Learned A.P.P. has vehemently opposed the prayer for bail.



Considering the aforesaid fact and considering that the petitioner has no criminal antecedents as well as the period of custody, this application for regular bail is allowed.

Let the petitioner, above named, be released on bail **after completing six months in custody** on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional and Sessions Judge, III, Munger in connection with Munger Muffasil P.S. Case No. 451 of 2022.

(Sandeep Kumar, J)

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