

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34048 of 2022

Arising Out of PS. Case No.-121 Year-2022 Thana- KATRA District- Muzaffarpur

Manzar Ekbal@ Manzar Mahi Son of Late Md. Tahir Hussain @ Late
Mohammad Tahir Hussain Resident of Village - Katai, P.S.- Katra, Distt.-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate
Mr. Arvind Kumar, Advocate
For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-01-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 414 of the Indian Penal
Code and Section 25(1-b)a, 26 of the Arms Act.

Recovery is of one loaded country made pistol from
the possession of the petitioner.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the police
after investigation submitted the charge sheet against the



petitioner on 28.05.2022 under Section 25(1-b)a, 26 of the Arms Act only. He further submits that it appears from the seizure list that one loaded country made pistol has been recovered from the possession of the petitioner. He further submits that the petitioner is in custody since 07.04.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Court below where the case is pending in connection with Katra P.S. Case No. 121 of 2022, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation



of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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