

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45572 of 2023

Arising Out of PS. Case No.-250 Year-2022 Thana- BARAUNI District- Begusarai

MOTI NISHAD, aged about 46 years, male, S/O BAUDHI NISHAD @
BAUDHU NISHAD, R/O Village- Malhipur Bind Toli, P.S- Barauni, Distt.-
Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai, Advocate

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 4 02-08-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.
2. Petitioner seeks regular bail in connection with
Barauni (Chakiya) P.S. Case No. 250 of 2022 dated 07.06.2022
registered for the offence(s) punishable under Section(s) 25(1-
b)a,26(i) of the Arms Act.
3. This is second attempt for the relief of regular bail
after his earlier prayer for the same relief was rejected by this
Court vide order dated 27.02.2023 passed in Cr. Misc. No.63518
of 2022.
4. The fresh ground taken by the petitioner is the
liberty granted to him in the order dated 27.02.2023. It is
submitted by learned counsel for the petitioner that in earlier



rejection order this Court had granted the petitioner the liberty that he may renew his bail prayer after three months if any significant progress is not made in his trial by the trial court and regarding the status of the petitioner's trial, supplementary affidavit has been filed, according to which, after the submission of charge-sheet in the petitioner's case no progress has been made and his case is running for supplying the police paper to him and moreover in the earlier rejection order, this Court took into account the fact that the petitioner was absconding in a murder case in connection with Barauni (Chakiya) P.S. Case No.257 of 2021 but the petitioner has got bail in the said case by this Court and the instant matter relates to the recovery of a country made pistol and eighteen bullets and the alleged offences are triable by the court of 1st Class Magistrate.

5. Learned APP appearing for the State has opposed the bail prayer.

6. Considering the above submissions as well as circumstances pointed out by the petitioner's counsel which go in petitioner's favour, this court is inclined to accept his bail prayer. Accordingly, let the petitioner named-above be enlarged on bail in connection with Barauni (Chakiya) P.S. Case No. 250 of 2022 on furnishing bail bond of Rs.10,000/-(Ten



Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

Sanjay/-

U		T	
---	--	---	--

