

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42714 of 2023

Arising Out of PS. Case No.-113 Year-2023 Thana- KANTI District- Muzaffarpur

Md. Sanjor @ Md. Sanjur Son of Md. Jahangir Resident of village - Sherna,
P.s. - Kanti, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Adv.

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 14-07-2023 Let the defect(s), if any, be removed within two weeks from today.

2. Heard learned counsel for the petitioner and learned A.P.P. for the State.

3. The petitioner seeks regular bail in connection with Kanti P.S. Case No. 113 of 2023 dated 09.02.2023, lodged under Sections 25(1-b)a, 26, 35 of the Arms Act.

4. As per the prosecution case, the F.I.R. has been lodged against four named accused persons including the present petitioner that he has sold the arms to the other accused persons.

5. Learned counsel for the petitioner submits that the petitioner has not been apprehended from the place of occurrence rather his name has figured in this case by virtue of

the confessional statement made by the co-accused from whose possession, the arms has been recovered and they have disclosed to the police that it is the petitioner, who sold the arms to them.

6. Learned counsel for the petitioner further submits that the petitioner is in custody since 25.02.2023 in which charge-sheet has already been filed. Counsel further submits that there are three criminal cases pending against the petitioner, out of which, in two cases he is on bail and in one case, he is persuading for bail.

7. Learned counsel for the State opposes the prayer for bail.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned J. M. 1st Class, Muzaffarpur in connection with Kanti P.S. Case No. 113 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates

without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

9. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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