

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42888 of 2023

Arising Out of PS. Case No.-79 Year-2021 Thana- ALAMNAGAR District- Madhepura

Md. Rajjo @ Rijwan Ali S/O- Chedi Ali Village- Sukhar Ghat Ps- Alamnagar
Dist- madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Shailendra Kumar, 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
Ratwara O.P. Alamnagar P.S. Case No.79 of 2021 registered on
16.04.2021 lodged under Sections 25(1-B)A and 26 of the Arms
Act.

4. As per the prosecution case, F.I.R. has been lodged
against sole accused person, against whom it has been stated
that recovery of one 315 rifle has been made.

5. Counsel for the petitioner submits that as per F.I.R.
the police went for investigation in one case and conducted a
raid in the house of the petitioner in his absence and recovery of
one 315 rifle has been made. He submits that there is a gross
violation of Section 100 of the Code of Criminal Procedure. He

further submits that no live cartridge was recovered in this case.

6. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 27.04.2023 having clean antecedent. He further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

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 Additional Chief Judicial Magistrate-Ist, Udakishunganj in connection with Ratwara O.P. Alamnagar P.S. Case No.79 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

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

(Dr. Anshuman, J.)

Ashishsingh/-

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