

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62565 of 2023

Arising Out of PS. Case No.-94 Year-2023 Thana- SHAMBHUGANJ District- Banka

MD. ANWAR @ MD. ANBER @ SUKHIA Son of Allauddin R/o Mohalla -
Gulzarpokhar, Abdul Hamid Chowk, Ward no. 13, P.S. - Kotwali, Distt. -
Munger

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 25(1-B), 25(1-AA), 25(1-a), 26(1)(2), 35 of the Arms Act.

3. According to the FIR, a raid was conducted in the welding shop of the Dinesh Sah from where, one country made pistols, nine live cartridges, some semi-finished pistols and other manufacturing equipment were recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no concerned with the alleged arms seized by the police. The place



of occurrence also doesn't belong to the petitioner rather the owner of welding shop is one Sanju Devi, wife of the accused Dinesh Sah. Nothing incriminating articles has been recovered from his possession. He has got no criminal antecedent as stated para-3 of the bail petition and languishing in judicial custody since 5.4.2023. Moreover, similarly situated co-accused namely, Md. Faisal has already been granted bail by a co-ordinate Bench of this Court vide order dt. 23.8.2023 passed in Cr. Misc. No. 54046 of 2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Shambhuganj P.S. Case No. 94 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka.

(Sunil Kumar Panwar, J)

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