

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70531 of 2023

Arising Out of PS. Case No.-388 Year-2023 Thana- KATIHAR NAGAR District- Katihar

Mahboob Alam Son Of Md. Shamshad @ Md. Samsad Resident Of Mohalla-
Saguniya, Ps- Kadwa, Distt- Katihar, A/P- Rojitpur Gas Godown, Ps- Nagar,
Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Princy Raj
For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-11-2023 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)a, 26
of Arms Act.

3. According to the FIR, prosecution case relates to
recovery of one loaded country made pistol from possession of
the petitioner.

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. It is
further submitted that the seizure list witness are police officials,



not a single independent witness which violates section 100 of Cr.P.C. He has got no criminal antecedent as stated para-3 of the bail petition. It is further submitted that the petitioner is languishing in judicial custody since 28.5.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Katihar (N) P.S. Case No. 388 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 C.J.M., Katihar.

(Sunil Kumar Panwar, J)

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