

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32546 of 2024

Arising Out of PS. Case No.-341 Year-2023 Thana- SALAKHUA District- Saharsa

Md. Kalam Alam @ Md. Kalam @ Md. Kamal Alam S/o Sajim Shaikh @
Sajim Alam R/o vill - Murli ward no. 4, P.s. - Salkhua (Banma Itahari OP),
Distt. - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Salakhua (Banma Itahari OP) P.S. Case No. 341 of 2023
instituted for the offence under Sections 25(1-B)a of the Arms
Act.

3. Prosecution case in short is that there is recovery of
one country made pistol and one live cartridge from the house
of the petitioner.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 12-10-2023. Petitioner is a
man of clean antecedent.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. Nothing has been recovered from the conscious possession of the petitioner. Petitioner has no concern with the alleged recovered arms. There is no compliance of Section 100 of the Cr.P.C. It is lastly submitted that charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, clean antecedent of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Salakhua (Banma Itahari OP) P.S. Case No. 341 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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