

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27396 of 2024

Arising Out of PS. Case No.-18 Year-2024 Thana- SAHEBGANJ District- Muzaffarpur

Md. Anwar @ Mithu son of Md. Jallauddin Village- Moti Chouk P.S. Saraiya
District-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Preety Kunwar

For the Opposite Party/s : Mr.Brajendra Nath Pandey

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

ORAL ORDER

2 09-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sahebganj P.S. Case No. 18 of 2024 instituted for the offences punishable under Section 414 of the IPC and Sections 25(1-b)a and 26/35 of the Arms Act.

3. As per prosecution case, there has been recovery of two country-made automatic pistols, four live cartridges and one mobile from the possession of the petitioner.

4. Learned counsel for the petitioners submitted that the petitioner has falsely been implicated in the present case. Charge-sheet has been submitted in this case. The petitioner has no concern with the alleged arms and cartridges, which were



seized by the police. Only on the basis of suspicion, petitioner has been implicated in the present case by the police due to his criminal antecedent. The provision of Section 100 of the Cr.P.C. has not been followed in this case while preparing the seizure list. The petitioner is in custody since 12.01.2024 and he has one criminal antecedent in which he is on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail **after framing of charge, if not already framed**, 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 Sahebganj P.S. Case No. 18 of 2024.

(Rudra Prakash Mishra, J)

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