

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39504 of 2024

Arising Out of PS. Case No.-7 Year-2024 Thana- MATIYARIA District- West Champaran

Abid Ansari @ Aabid Ansari Son of Subhan Jungle Amwa @ Subhan Ansari
Resident of Village- Lachhnauta, P.S- Matiyaria, Dist- West champran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alexander Ashok, Advocate
For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

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

ORAL ORDER

2 21-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Matiyaria P.S. Case No.
07 of 2024, instituted for the offences punishable under Sections
25(1-b)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, there is
recovery of one country made pistol and five live cartridges
from the house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious
possession of the petitioner. Recovered pistol and cartridges



belongs to the neighbour of the petitioner who is involved in illegal trade of Arms. The petitioner is in custody since 25.01.2024 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 01.05.2024 passed in Cr. Misc. No. 32511 of 2024. There is no compliance of Section 100 of Cr.P.C.

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, taking into account the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Matiyaria P.S. Case No. 07 of 2024.

(Rudra Prakash Mishra, J)

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