

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40729 of 2024

Arising Out of PS. Case No.-1021 Year-2023 Thana- BIHAR District- Nalanda

Md. Faiyaz @ Jhojha S/O Md. Reyaz Ro Mohalla Sufi Nagar Ps Bihar
District Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

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

ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Bihar
P.S. Case No. 1021 of 2023 instituted for the offences under
Sections 25(1-b)a, 26 of the Arms Act.

3. As per the F.I.R., one loaded country-made pistol
and one live cartridge has been recovered from this petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted
that petitioner has got no concern with the recovered arms and



ammunitions. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.12.2023. Learned counsel further submitted that petitioner has got 22 criminal antecedents out of which he has been acquitted in four cases and in all the remaining 18 cases, he is on bail. There is no compliance of Section 100 of the Cr.P.C.

5. Learned A.P.P. 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, nature of offence as also 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 Bihar P.S. Case No. 1021 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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