

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64643 of 2024

Arising Out of PS. Case No.-192 Year-2024 Thana- LAHERIMUHALLA District- Nalanda

Md. Munna S/O Late Zahid @ Md. Zahir R/O Village- Pakki Talab, P.S-
Laheri, District- Nalanda, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

2 06-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Laheri
P.S. Case No. 192 of 2024 instituted for the offences under
Sections 25(1-b)a, 26, 35 of the Arms Act.

3. As per prosecution case, on the disclosures made by
the co-accused Md. Imran, the police reached at the house of the
petitioner and, on search, recovered one country-made single-
shot rifle along with two .315 bore live cartridge from there.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
He further submits that nothing incriminating has been



recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized arms. Charge-sheet has been submitted in this case. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner has three criminal antecedents and, in all of them, he is on bail and is languishing in judicial custody since 27.04.2024 without any rhyme or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Imran has been granted bail by this Court vide order dated 07.08.2024 passed in Cr. Misc. No. 54192 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Laheri P.S. Case No. 192 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family



members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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