

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71214 of 2024

Arising Out of PS. Case No.-114 Year-2024 Thana- MANJHAGARH District- Gopalganj

Arshe Aajam @ Dablu S/O Ashrafful Hoda @ Asraful Hoda R/O Village
Surwaniya, P.S. Manjhagarh, District-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this present case, the petitioner seeks bail in connection with Manjhagarh P.S. Case No. 114 of 2024, registered for the offences under Sections 25(1-b)a and 26 of the Arms Act.

3. As per prosecution case, police received secret information about petitioner bringing illegal firearm and ammunition in his house and concealing it in his room. A raid was conducted and from the possession of the petitioner, recovery of seven live cartridges were made. Further recovery of a loaded country made *katta* was made from the bag kept in the room of the petitioner.

4. Learned counsel appearing on behalf of the



petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the possession of this petitioner. The seizure list has not been prepared in accordance with law. All the witnesses are the police personnel and there is non-compliance of Section 100 of Cr.P.C. The petitioner has got no criminal antecedent. The petitioner is in custody since 24.04.2024 and charge-sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner as well as his period of custody and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Gopalganj/concerned court in connection with Manjhagarh P.S. Case No. 114 of 2024, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close



relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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