

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81335 of 2024

Arising Out of PS. Case No.-517 Year-2024 Thana- AURANGABAD TOWN District-
Aurangabad

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Mohammad Saif Khan Son of Qyamuddin Khan Resident of Ward No. 15,
Pathan Toli, P.O. and P.S.- Aurangabad, 824101 (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Brajesh Sahay, Advocate Ms. Harshita, Advocate Mr. Ashwani Kumar, Advocate
For the Opposite Party/s :		Mr. Md. Aslam Ansari, APP

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

ORAL ORDER

2 02-12-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Aurangabad Town P.S. Case No. 517 of 2024 instituted for the
offence under Sections 25(1-B)a, 26 & 35 of the Arms Act.

3. Prosecution case in short is that there is recovery of
one country made pistol from the possession of the petitioner.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 18-07-2024. Petitioner
bears one criminal antecedent, as per disclosure made in
paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. It is submitted that petitioner has no concern with the recovered arms. Learned counsel for the petitioner next submits that recovery is made during procession of *Muharram* and the same is planted. Learned counsel next submits that police after investigation has already submitted charge sheet in this case. There is no compliance of Section 100 of the Cr.P.C.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and manner of petitioner's implication, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner 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 Aurangabad Town P.S. Case No. 517 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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