

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83410 of 2024

Arising Out of PS. Case No.-223 Year-2024 Thana- SOHSARAI District- Nalanda

Md. Niyaz S/o Md. Mohiuddin @ Md. Mohinddin Ansari Resident of
Mohalla- Mogal Kuan, P.S.- Sohsarai, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Sonam Kumari, Advocate
: Mr. Anil Kumar No. I, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

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

ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sohsarai P.S. Case No. 223 of 2024 instituted for the offences
under Sections 317(5) of the Bharatiya Nyaya Sanhita, 2023
25(1-B)a, 26, 35 of the Arms Act.

3. Prosecution case, in short, is that while the two
persons were making video with a country-made pistol, the
police raided the place of occurrence and apprehended the
petitioner. On search, one country-made pistol and one live
cartridge were recovered from the 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. It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.09.2024 and has no criminal antecedent.

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, clean antecedent 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 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 Sohsarai P.S. Case No. 223 of 2024.

(Rudra Prakash Mishra, J)

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