

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84795 of 2024

Arising Out of PS. Case No.-124 Year-2024 Thana- JOKIHAT District- Araria

Md. Jawed @ Guddu @ Jawed S/O Late Aiyub @ Md. Aiyub @ Md. Ayyub
R/o vill - Matiyari, P.s.- Jokihat, Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Naushaduzzoha, Advocate
For the Opposite Party/s : Mr. Humayou Ahmad Khan, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Jokihat P.S. Case No. 124 of 2024, registered for the alleged offences under Sections 25(1-B)a/26 of the Arms Act.

03. As per prosecution case, police received secret information about petitioner who was accused in Jokihat P.S. Case No. 509 of 2023 being present in the backyard of his house in a maize field. A raid was conducted and the petitioner was apprehended. From the possession of the petitioner, recovery of a loaded country made *katta* apart from one live cartridge and a mobile phone was made.



04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Allegedly recovered articles are planted and nothing incriminating has been recovered from the person or possession of the petitioner. Recovery of country made *katta* or live cartridge or mobile phone is a false and concocted story. The police arrested the petitioner from his house in Jokihat P.S. Case No. 509 of 2023. Earlier the police has falsely implicated the petitioner in a number of cases. The prosecution story is not believable in the sense that when the petitioner was sitting with his friends in a maize field why the other persons were not apprehended. The petitioner is in custody since 06.04.2024 and charge-sheet has been submitted. The petitioner is having antecedent of 09 cases out of which he is on bail in 08 cases.

05. Learned APP for the State opposes the prayer for bail. Learned APP submits that the petitioner appears to be a habitual offender and is accused in 09 cases of serious nature.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge-sheet and also considering the nature of allegation against the petitioner, the petitioner above named is directed to



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 learned Judicial Magistrate-1st Class, Araria/court concerned in connection with Jokihat P.S. Case No. 124 of 2024, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the 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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