

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83786 of 2023**

Arising Out of PS. Case No.-186 Year-2023 Thana- MANIHARI District- Katihar

SABIR ALAM SON OF ESRAFIL @ ASRAFIL R/O VILLAGE- BOGLA
GARH BHAWANIPUR, P.S.- AMDABAD, DISTRICT- KATIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Manihari P.S. Case No. 186 of 2023 registered on 14.08.2023
lodged under Sections 413/414 of the I.P.C. and Section 25(1-
b)a and 26 of the Arms Act.

3. As per the prosecution case, F.I.R. has been lodged
against the petitioner to whom there is recovery of one country
made pistol, three fired cartridges, two live cartridges and cash
from his possession, and thereafter, he has been apprehended by
the police.



4. Counsel submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 15.08.2023 having one criminal case pending against him, in which he has not been remanded till date. He further submits that the money recovered from the petitioner's possession was given by his father to give to her maternal aunt (*Bua*). He submits that motorcycle and mobile belongs to the petitioner only. Counsel further submits that so far as the Arms Act is concerned, he is in custody for approx eight months.

5. Learned counsel for the State opposes the prayer for bail.

6. Upon specific query made by this Court that whether charge has been framed or not, counsel for the petitioner submits that he is not aware of this fact that charge has been framed or not.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail ***after framing of charge if the charge is not framed yet*** and on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Manihari P.S. Case No. 186 of 2023,



subject to the conditions laid down under Section 437 (3) of the
Cr.P.C.

(Dr. Anshuman, J)

Sunnykr/-

U			
---	--	--	--

