

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.138 of 2024**

Arising Out of PS. Case No.-213 Year-2023 Thana- PATEPUR District- Vaishali

MD. CHAND @ MD. CHAND BABU, SON OF MD. NAUMAN  
RESIDENT OF AKHTIYARPUR DOGHRA, P.S.- BALIGAON, DISTRICT-  
VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

3      09-04-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Patepur P.S. Case no. 213 of 2023 registered under sections 412 and 414 of the Indian Penal Code and sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, a loaded country made pistol was recovered from the possession of the petitioner while a stolen motorcycle was recovered from his house. Other incriminating material was recovered from the possession of the co-accused.

4. Learned counsel for the petitioner submits that no incriminating article has either been recovered from the petitioner's possession or from his house. He has been falsely implicated in the case. He has no criminal antecedent and is in



custody since 5.9.2023. Charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, his being in custody for 7 months since 5.9.2023, charge-sheet having been submitted in the case and the petitioner not having any criminal antecedent, the petitioner is directed to be enlarged on bail in connection with Patepur P.S. Case no.213 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur.

**(Partha Sarthy, J)**

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