

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87131 of 2024

Arising Out of PS. Case No.-101 Year-2024 Thana- AAJAM NAGAR District- Katihar

Md. Danish son of Saidul Rahman village- Shikarpur, Ps- Balia Belown, Dist-
katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 13-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 25(1-b)a, 26 and 35 of the Arms Act and Sections 3/4 of the Explosive Substance Act.

3. The case of the prosecution is that below the bed of co-accused Md. Akil, one country made pistol was recovered and when he was asked regarding the license and authority for the possession, he told that one pistol and cartridge belong to him and one other country made pistol belongs to the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He further submitted that



recovery, if any, has been made below the bed of co-accused Akil. Nothing has been recovered from the conscious possession of the petitioner. Co-accused Md. Akil has already been granted bail by this Court vide order dated 08.10.2024 in Cr. Misc. No. 69929 of 2024. Moreover, the petitioner is languishing in judicial custody since 11.09.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Azamnagar P.S. Case No. 101 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar.

(Ashok Kumar Pandey, J)

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