

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17421 of 2025

Arising Out of PS. Case No.-390 Year-2024 Thana- CHAKIA District- East Champaran

1. Md. Iftekhhar @ Raja S/o- Aftab Alam Resident of village- Shekhi chakiya
Wrad No. 25, P..S.- Chakiya, District- East Champaran
2. Md. Hakir S/o- Ali Raja @ Md. Ali Raja Resident of village- Shekhi chakiya
Wrad No. 25, P..S.- Chakiya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Ansiur Rahman, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

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

ORAL ORDER

2 24-03-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in connection with Chakiya P.S. Case No. 390 of 2024, instituted for the offences punishable under Sections 25(1-B)(a), 26, 35 and 25(9) of the Arms Act.

3. The prosecution case, in short, is that, there is recovery of one country made pistol along with one live cartridge from the house of petitioner no. 1 and there is recovery of one pistol along with two live cartridges from the house of petitioner no. 2.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material have been recovered from the conscious possession of the petitioners. Learned counsel for the petitioners also submits that the petitioners have got no concern with the alleged recovery of arms. It is further submitted that houses of the petitioners were raided on the indication of co-accused, namely, Naushad Alam who was seen dancing with pistol in his hand and the petitioners have got no concern with the co-accused person. The petitioners are in custody since 17.11.2024 and have got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Chakiya P.S. Case
No. 390 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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