

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16211 of 2025

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

Naushad Aalam S/O Sheikh Rakib Resident of Village- Ward no. 25, Shekhi Chakia, P.S- Chakia, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 16-05-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Chakia P.S. Case No. 390 of 2024 instituted for the offences under Sections 25(1-b)a, 26, 35, 25(9) of the Arms Act.

3. As per the F.I.R., police, on the basis of a viral video of a person in which he was seen dancing with a pistol in his hand, conducted inquiry and apprehended the said accused persons (petitioner herein). It is further alleged that on inquiry the petitioner disclosed that the said pistol belongs to his friend namely Md. Iftekar @ Raja, and thereafter, the recovery of one pistol and three live cartridges were made from the co-accused



persons.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner or from his house. Learned counsel further submitted that petitioner has got no concern with the recovered arms and ammunitions. Learned counsel further submitted that the recovery of the pistol has been made from the house of co-accused person namely, Md. Hakir. It has been submitted on behalf of the petitioner that the petitioner is in custody since 17.11.2024 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, there being no recovery of arms and ammunitions as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Court



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

Alok Verma/-
(Rudra Prakash Mishra, J)

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