

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22509 of 2025

Arising Out of PS. Case No.-330 Year-2024 Thana- SAKRA District- Muzaffarpur

Md. Nasim, son of Md. Aslam Ansari, resident of Village- Maheshpur Tipri
PS -piyar District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

4 23-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Sakra
P.S. Case No. 330 of 2024 dated 24.06.2024 instituted for the
offence punishable under Sections 120(B) of the Indian Penal
Code and Section 25(1-B)(a), 26, 35 of the Arms Act.

3. The allegation is of recovery of one country made
Katta loaded with one live cartridge from the possession of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. Learned counsel for the petitioner submits that due to
criminal antecedents of the petitioner, he has been made accused
in this case. It is further submitted that at the time of search and



seizure, it is alleged that many local people assembled but two constables from prosecution team are seizure list witnesses which casts a serious doubt over the veracity of prosecution case. Lastly, it has been submitted that the petitioner is in custody since 25.06.2024 having five criminal cases against him and in all cases, he has been released on bail. Charge-sheet has been submitted in the case.

5. Learned A.P.P. for the State opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XV, Muzaffarpur (East) in connection with Sakra P.S. Case No. 330 of 2024, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation,



preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

5. The petitioner shall appear before the Police Station of his local area in the first week of each month till the framing of charge in this case.

(Khatim Reza, J)

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