

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23375 of 2025

Arising Out of PS. Case No.-773 Year-2024 Thana- SITAMARHI District- Sitamarhi

Md. Chand Son Of Late Bachu @ Bachchu R/O Village- Mehsoul, P.S.-
Sitamarhi, District- Sitamarhi

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Zaki Haider, Adv.

For the Opposite Party/s : Mr. Surendra Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 29-04-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 317(2), 317(4) of BNS and Section 25(1-b)a, 26, 35 of Arms Act.

3. The prosecution's case, in brief, is that while the informant, a police official, was engaged in vehicle checking duty, the petitioner attempted to flee after seeing the police party. He was subsequently apprehended, and during the search, a loaded country-made pistol along with a live cartridge was recovered



from his possession. Furthermore, a motorcycle without a registration number was also seized.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case due to high handedness of police. Proper procedure of search and seizure has not been followed as there is no independent witness of the alleged seizure. The petitioner has no concern either with the alleged recovery or with the other co-accused persons. Moreover, he is languishing in judicial custody since 13.11.2024.

5. Learned APP appearing for the State has vehemently opposed the prayer for Bail.

6. Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail, **after framing of charge**, in connection with Sitamarhi P.S.



Case No. 773 of 2024 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 C.J.M., Sitamarhi, with following conditions:-

(i) One of the bailors should be close relative of the petitioner.

(ii) Petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bonds may be cancelled by the learned trial Court.

(S. B. Pd. Singh, J)

Nirajkrs/-

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