

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26660 of 2025**

Arising Out of PS. Case No.-91 Year-2024 Thana- MUNGER MUFFASIL District- Munger

Md. Imran @ Ali, aged about 38 years, Male, son of late Kitabul @ Md. Kitabul, resident of village- Mirzapur Bardah, P.S.- Muffasil, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sanjiv Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Rajiv Nayan, APP

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

2      07-05-2025                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Muffasil PS Case No.91 of 2024 dated 10.03.2024, instituted under Sections 25(1-A), 25(1-AA), 25(1-B)a, 26(i) (ii) and 35 of the Arms Act.

3. On a secret tip off regarding manufacturing of illegal arms, the police went to the place of occurrence and raided the maize field in *Tarapur Diara* area upon which five persons started fleeing away out of which two were arrested and two pistols, one country-made pistol, two semi-constructed pistol, one live cartridge and the materials for manufacturing firearms were recovered.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has been made accused only on the basis of disclosure made by the apprehended persons. Further submission is that all the firearms seized by the police are non-prohibited as defined in Section 2(i) of the Arms Act and, thus, there is no contravention of Section 7 of the Arms Act. Sections 25(1-A) and 25(1-AA) of the Arms Act are not attracted against the petitioner. Nothing has been recovered from the conscious possession of the petitioner. Seized articles were recovered from the conscious possession of the apprehended persons. Lastly, it is submitted that one criminal case is pending against the petitioner.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, 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 ACJM- II, Munger, in Muffasil PS Case No.91 of 2024, subject to the conditions laid down in Section 482(2) of the *Bharatiya*



*Nagarik Suraksha Sanhita*, 2023, and further (i) that the 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, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that 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, and (iv) that 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.

7. The application stands allowed.

**(Khatim Reza, J)**

J. Alam/-

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