

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27399 of 2025

Arising Out of PS. Case No.-2 Year-2025 Thana- KHUTAUNA District- Madhubani

1. Imtiyaz Alam S/o- Late Abdul Rahman @ Abdur Rahman Village- Khutauna
Ps- Khutauna Po- Khutauna Dist- Madhubani
2. Iftekar Alam @ Iftekhar Alam S/o- Late Abdul Rahman Village- Khutauna
Ps- Khutauna Po- Khutauna Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manendra Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 09-07-2025 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in a case registered for the offences under Sections 25(1-B)a, 25(1-a), 26(i), 25(1-AA), 26(ii) and 35 of the Arms Act.

3. As per the prosecution case, the Police during patrolling, received a secret information that one Raju Kumar Sah was running a mini gun factory. A raid was conducted and upon interrogation, the said accused Raju Kumar Sah disclosed that he along with Ishtiyak Alam, Iftikhar Alam and Imtiyaz Alam (the petitioner) were running a mini gun factory behind the shop of Ishtiyak Alam, where a large quantity of manufacturing equipments were available. Thus, a raid was conducted and a mini gun factory was unearthed and the



petitioner along with the other persons were apprehended by the Police.

4. Learned counsel for the petitioner submits the petitioner has falsely been implicated in this case and admittedly, from perusal of the seizure list, it would be evident that the same was recovered from the house of the co-accused Ishtiyak Alam and the petitioner was merely made an accused because he happens to be the own brother of Ishtiyak Alam. Learned counsel has next submitted that the petitioner and Ishtiyak Alam are separate in mess and living in separate portion of the house and they run their individual business and he has no concern with the business carried out by his brother Ishtiyak Alam. It has lastly been submitted that the petitioner has no criminal antecedent and is in custody since 10.01.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and taking into account that no incriminating article was recovered from the conscious possession of the petitioner, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned Court below



where the case is pending/successor Court in connection with
Khutauna P.S Case No.02 of 2025, subject to the conditions :-

(i) one of the bailors shall be the close relative of the
petitioner

(ii) the petitioner shall remain physically present in
the Court on each date of trial.

(iii) in case of absence on two consecutive dates or in
violation of the terms of the bail, the bail bond of the petitioner
will be liable to be cancelled by the Court concerned.

(iv) the learned Court below shall verify the criminal
antecedent of the petitioner and in case at any stage it is found
that the petitioner has concealed his/her criminal antecedent, the
Court below shall take step for cancellation of bail bond of the
petitioner. However, the acceptance of bail bonds in terms of
above mentioned order shall not be delayed for purpose of or in
the name of verification.

7. It is made clear that the observations, if any, made
in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

sharun/-

U		T	
---	--	---	--

