

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32264 of 2025

Arising Out of PS. Case No.-115 Year-2024 Thana- SALAKHUA District- Saharsa

Md. Niyaz Ahmad S/O Raisuddin R/O Village- Khojraha, P.S- Salakhua,
Distt.- Saharsha.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar, Advocate

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 01-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Salkhua P.S. Case No. 115 of 2024 registered for the offences under Sections 25(1-B)a, and 26 of the Arms Act.

3. As per prosecution case, police received information about petitioner keeping illegal firearms in his house. A raid was conducted and a person fled away from the house and the Mahal Chowkidar identified him as the present petitioner. During search of the house of the petitioner, a country made loaded pistol with 5 live cartridges was recovered. Further a magazine loaded with 3 live cartridges and a loaded country made *katta* having one live cartridge were also recovered from



the house of the petitioner.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Petitioner has nothing to do with the recovery shown from his house. Nothing incriminating has been recovered from the person or possession of this petitioner. Petitioner is a private teacher who gives tuition to the poor children and he is the sole breadwinner of his family. Petitioner is in custody since 29.01.2025 and charge-sheet has been submitted. Petitioner is having clean antecedent.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with his clean antecedent and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Saharsa/concerned court in connection with Salkhua P.S. Case No. 115 of 2024, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and



other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three 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.

(Arun Kumar Jha, J)

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