

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31560 of 2025

Arising Out of PS. Case No.-69 Year-2025 Thana- PAHARPUR District- East Champaran

Mustafa Khan @ Md. Mustafa Khan S/o- Md. Manir Khan @ Md. Munir
Khan Resident of Village- Kritpur P.S.- Harsidhi Dist- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Abhishek Kumar, Advocate

For the Opposite Party : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioner and Mr.
Mritunjay Kumar Nirala, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 25(1-b) a, 25(9), 26, 37 and 35 of the Arms Act.

3. The case of the prosecution is that from the possession of this petitioner, one country made pistol and one live cartridge of 0.5mm bore was recovered.

4. Learned counsel for the petitioner submits that petitioner is having no criminal antecedent. The alleged weapon has been planted. He is in custody since 16.02.2025. Learned counsel has also submitted that while making seizure, the provisions of Section 100 Cr.P.C. has not been followed.

5. Learned APP appearing for the state has opposed the



prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Paharpur P.S. Case No. 69 of 2025 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 9th Additional Chief Judicial Magistrate, Motihari, East Champaran.

(Ashok Kumar Pandey, J)

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