

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67788 of 2024

Arising Out of PS. Case No.-259 Year-2024 Thana- PURNEA SADAR District- Purnia

Md. Imtiyaz Son of Md. Laik R/O Vill.- Aina Mahal, Gulabbag, P.S.- Sadar,
Dist.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 27-01-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Purnia
Sadar P.S. Case No. 259 of 2024 instituted for the offence under
Section 414 of the Indian Penal Code and Sections 25(1-B)a &
26 of the Arms Act.

3. Prosecution case in short is that there is recovery of
one loaded country made pistol and three cartridges from the
possession of the petitioner.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 28-04-2024. Petitioner
bears fourteen criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Nothing has been recovered from the conscious possession of the petitioner and, in fact, recovery is planted. There is no compliance of Section 100 of the Cr.P.C. It is next submitted that police after investigation has submitted charge sheet in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, *after framing of charge, if not already framed*, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Purnia Sadar P.S. Case No. 259 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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