

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70414 of 2025

Arising Out of PS. Case No.-52 Year-2025 Thana- Chitragupta Nagar District- Khagaria

Md. Saiyed @ Rain Biradari S/O Md. Makbul Alam @ Mohammad Makbul
R/O Vill.- Maksudpur, P.S.- Kasim Bazar, Munger, Dist.- Munger

... .. 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. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 17-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 25(1-A), 25(1-AA), 26(1)(ii), 35 of the Arms Act.

3. The allegation in the first information report is that one illegal mini gun factory was running at a particular locality which was raided and three persons including the petitioner were apprehended and the seizure list was prepared.

4. Learned counsel for the petitioner submits that there is no recovery from the petitioner from his personal or conscious possession and the recovery has been made from the house of one Puran Yadav as would be evident from the seizure list itself where the petitioner had visited for some other purpose. It has also been submitted that the mandatory provisions of search and seizure have also been violated, inasmuch as there is no independent witness to the seizure list and the petitioner is



languishing in custody since 08.05.2025.

5. Learned APP for the State opposed the grant of bail on the basis of allegations made in the first information report as also that the petitioner has one criminal antecedent of similar nature, however it is submitted that the petitioner is on bail in the said case.

6. Taking into account the facts and circumstances and also considering that no recovery has been made from the personal or conscious possession of this petitioner and he is in custody since 08.05.2025 and the charge-sheet has already been submitted, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Chitragupta Nagar P.S. Case No.52 of 2025 subject to the following conditions :

(i) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

anand/-

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