

Arising Out of PS. Case No.-322 Year-2026 Thana- KANTI District- Muzaffarpur

Md. Ali Asgar S/o Shamshul Haque Resident of village- Damodarpur, PS-
Kanti, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
	:	Ms. Sushmita Mishra, Advocate
	:	Mr. Abhijeet Chandra, Advocate
	:	Mr. Purushottam Kumar, Advocate
For the State	:	Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-07-2026

Heard Mr. Ajay Kumar Thakur, learned

counsel for the petitioner duly assisted by Ms. Sushmita Mishra
and learned APP representing the State.

2. The petitioner is apprehending his arrest in connection with Kanti P.S. Case No. 322 of 2026 registered for the offence under Sections 318(4), 338, 336(3) and 340(2) of the Bharatiya Nyaya Sanhita, lodged on 25.05.2026 by the informant, Archana Kumari.

3. As per the prosecution story, the F.I.R. has been registered on the order of the District Magistrate, Muzaffarpur having found that he is having two different UIN Number, one



in the State of Bihar and other in the State of Nagaland. This led to the F.I.R.

4. Learned counsel for the petitioner submits that he is a resident of Bihar and was having business in Nagaland, though he had a license in Nagaland, on return to the State of Bihar, he surrendered the gun on 18.11.2022 with the M/s Capital Gun House, Dharampur, Samastipur. Further, the endorsement by the said shop shows that from then till 07.01.2026, the Rifle and the Magazine have remained in the said shop. Another application is before the Deputy Commissioner, Dimapur, Nagaland with the request to accept the surrender of the arms license.

5. Learned APP opposes the prayer submitting that the surrender application of 2026 should have been in the year 2022 when he actually surrendered the Rifle/Magazine before the Arms Shop.

6. Considering the submissions of the parties as also the materials on record, F.I.R. has been lodged, investigation will takes place, the petitioner is a businessman and an undertaking has been given that he shall be cooperating in the investigation, in that background, this Court is inclined to extend him the privilege of anticipatory bail.



7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st (West) Muzaffarpur, in connection with Kanti P.S. Case No. 322 of 2026 subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioner shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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