

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90866 of 2025

Arising Out of PS. Case No.-222 Year-2025 Thana- AMAS District- Gaya

=====

Waziuddin Khan @ Wazuddin Khan Son of Late Jainulabdin Khan @ Late Jainulabidin Khan R/o Village - Jolbigaha, P.S. - Pratappur, Dist. - Chatra(Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Pranav Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-01-2026 Heard Mr. Arvind Kumar Singh, learned counsel

for the petitioner as well as Mr. Pranav Kumar, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 10.07.2025 in connection with Amas P.S. Case No. 222 of 2025, F.I.R. dated 09.07.2025 for the offences punishable under Sections 25(1-B)(a) and 25, 26, 35 of Arms Act.

3. According to prosecution case, the informant alleged that on the basis of secret information, police apprehended one motorcycle which was driven by one Saddab Khan and the petitioner was the pillion rider and on search, recovered two country made pistol, 16 cartridges, one loaded magazine and other items from them.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. It appears from the FIR as well as seizure list that incriminating articles were recovered from the possession of co-accused, namely, Saddab Khan and the petitioner has been made accused merely on the ground that he accompanied with Saddab Khan and apart from that it also appears from the FIR that only one mobile and one motorcycle has been recovered from the possession of the petitioner which were the own mobile and motorcycle of the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 10.07.2025.

5. The learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and no incriminating articles have been recovered from the possession of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Sherghati, Gayaji in connection with Amas



P.S. Case No. 222 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Suruchi/-

U		T	
---	--	---	--

