

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91486 of 2025

Arising Out of PS. Case No.-111 Year-2025 Thana- MORKAHI District- Khagaria

Inzamamul @ Appu S/o Ali Azam @ Md. Ali Alam, R/o - Mirzapur Bardah,
P.S - Muffasil, District - Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Sanjiv Kumar Singh, Advocate
For the State	:	Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 24-02-2026 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Morkahi P.S. Case No. 111 of 2025 dated 22.07.2025, registered for the offences punishable under Sections 25(1-B)(a), 25(1)(a), 26(i), 26(ii) and 35 of the Arms Act.

3. As per the prosecution case, police received secret information about the co-accused Guddu Yadav running a mini gun factory and a raid was conducted on the house of Guddu Yadav and three persons including this petitioner were apprehended from the spot. Eight to nine persons fled away taking advantage of bushes. On search of the said house, a number of articles used in manufacture of fire-arms were recovered. Further recovery of pistol and semi-prepared pistol



etc. were made.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. There is no independent witness to the search and seizure and therefore, there is violation of Section 103(4)(5) of the B.N.S.S., 2023. The recovery has been made from the house of the co-accused and petitioner has no concern with the with the co-accused. Nothing incriminating was recovered from person or possession of this petitioner. A similarly placed co-accused, namely Wasim @ Vasim has been granted bail by a learned co-ordinate Bench of this Court *vide* order dated 19.02.2026 passed in Cr. Misc. No. 8819 of 2026. Learned counsel next submits that petitioner is having antecedent of four cases and out of four cases, he has been acquitted in one case and is on bail in rest of the cases. Learned counsel lastly submits that petitioner is in custody since 23.07.2025 and chargesheet has been submitted.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery of any incriminating material has been



shown from this petitioner and also considering grant of bail to a similarly placed co-accused and further considering petitioner's period of custody and submission of chargesheet, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Khagaria / concerned Court, in connection with **Morkahi P.S. Case No. 111 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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