

Cr. A (D.B.) No. 745 of 2025

... ... Appellant

... ... Respondent

For the Respondent : Mr. Shailesh Kumar Sinha, A.P.P.

I.A. No.8024 of 2025

1. Heard Mr. Kaushik Sarkhel, learned counsel for the appellant as well as Mr. Shailesh Kumar Sinha, learned A.P.P. for the State.
2. This application has been preferred by the appellant for grant of bail to him during pendency of this appeal.
3. The appellant has been convicted for the offence under Section 25(1(a)/35) of the Arms Act and has been sentenced to undergo R.I. for 10 years along with fine of Rs. 10,000/-.
4. It has been alleged that raid was conducted in the double storey building of Sahjahan Khan wherein semi-constructed weapons, part of weapons, machines in making weapons etc. were seized.
5. Submission has been advanced by the learned counsel for the appellant that the appellant has been implicated only on the confessional statement of the two females who have found in the house of Sahjahan Khan namely Hasina Khatun and Sabina Khatun.
6. It has been submitted that the recovery of the arms and ammunitions as well as various machine parts from the house of Sahjahan Khan in the

presence of Hasina Khatun and Sabina Khatun were made. While referring to the evidence of the Investigating Officer who has been examined as P.W.12, submission has been advanced that no recovery was effected from the conscious possession of the appellant. Learned counsel adds that the appellant is in custody since 27.03.2023.

7. Learned Additional Public Prosecutor has opposed the prayer for bail of the appellant.
8. Regard being had to the manner of implication of the appellant and there being no recovery from the conscious possession of the appellant, we are inclined to admit the appellant on bail. Accordingly, during the pendency of this appeal, the appellant is directed to 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 learned Sessions Judge, Jamtara in S.T. Case No.71/2023 arising out of P.S. Mihijam P.S. Case No. 100/2022 and G.R. No.511A/2022.
8. Accordingly, I.A. No.8024 of 2025 is **allowed** and disposed of.

(Rongon Mukhopadhyay, J.)

(Pradeep Kumar Srivastava, J.)

Amar/-