

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33959 of 2018

Arising Out of PS. Case No.-67 Year-2018 Thana- MAJHAULIA District- West Champaran

Md. Sabir S/o Md. Gulab R/o Vill- Hasanchak, Muzaffarpur, P.S. Sadar
Muzaffarpur, Distt. Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Arvind Kumar, Adv. Mr. Sanjay Kumar Azad, Adv.
For the Opposite Party/s :	Mr. None.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 25-06-2018 Heard Sri Arvind Kumar, learned counsel, assisted by

Sri Sanjay Kumar Azad, learned counsel for the petitioner. None

appeared on behalf of the State.

The sole petitioner, who is in custody since
27.02.2018 in Majhulia P.S. Case No.67 of 2018 registered for
the offence under Sections 399/402 of the Indian Penal Code,
has prayed for grant of bail.

Learned counsel for the petitioner submits that the
petitioner was having clean antecedent, however on false
accusation, the petitioner was apprehended as if he was member
of the accused, who had allegedly assembled for making
preparation for committing dacoity and, thereafter, a case under
the Arms Act was also instituted. It has been argued that no arm



or any other article was recovered from the possession of the petitioner but only on false accusation, the petitioner was apprehended. He further submits that in respect of the Arms, one another case vide Majhulia P.S. Case No.68 of 2018 was registered, in which the petitioner has already been granted bail.

Considering the nature of accusation as well as the fact that in the Arms Act, the petitioner has already been granted bail, there is no reason to further detain the petitioner in custody in the present case. Accordingly, let the petitioner, namely, Md. Sabir be enlarged 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 C.J.M. West Champaran, Bettiah in connection with Majhulia P.S. Case no.67 of 2018.

(Rakesh Kumar, J)

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