

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60826 of 2019**

Arising Out of PS. Case No.-200 Year-2019 Thana- BAHADURGANJ District- Kishanganj

RAFIKUL ISLAM @ RAFIKUL @ RAFIQUEUL Son of Shekh Diljan @  
SK Diljan Resident of Village Goyeshpur, P.S. Karandighi, District- Uttar  
Dinajpur (W.B).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

4      16-11-2019                      Heard the learned counsel for the petitioner and the  
learned APP for the State.

The petitioner seeks regular bail in connection with Bahadurganj P.S. Case No. 200 of 2019 arising out of Special Case No. 237 of 2019, registered for the offence punishable under Sections 399, 402 of the Indian Penal Code, Section 25(1-b)a, 26 of the Arms Act and Section 30(a) of the Bihar Prohibition and Excise Act.

The allegation is regarding the police having apprehended the accused persons and upon search being made, one country made pistol with one live cartridge was recovered from the petitioner herein, apart from recovery of other things / arms from the other accused persons.



The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is submitted that the petitioner is having a clean antecedent and he is languishing in custody since 7.7.2019.

Having regarding to the facts and circumstances of the case, I deem it fit and proper to direct for release of the petitioner immediately upon completion of six months in custody i.e. with effect from 7.7.2019 upon such conditions as may be deemed fit and proper to be imposed by the learned court of Additional District and Sessions Judge, 2<sup>nd</sup> cum Special Judge (Excise) Kishanganj in connection with Bahadurganj P.S. Case No. 200 of 2019 arising out of Special Case No. 237 of 2019.

The present petition stands disposed of with the aforesaid directions.

**(Mohit Kumar Shah, J)**

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