

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69813 of 2019**

Arising Out of PS. Case No.-394 Year-2018 Thana- JOKIHAT District- Araria

SADAKAT Son of Muslim Resident of Village - Suryapur, P.S.- Araria
(Baigachhi), District- Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Abhay Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Jokihat P.S. Case No. 394 of 2018, registered under Section
307/34 of the Indian Penal Code and Section 25(1-b)a, 26 and
35 of the Arms Act.

The accusation is that in course of checking of
the vehicle, three persons were seen on Apachy motorcycle,
when signal was given to stop the motorcycle then they started
fleeing with the motorcycle, but they fell down. At that time,
the person, who was driving the motorcycle, fired at the Police
party, but firing was missed then attempt was made to catch
the said persons out of them two persons were apprehended.
The person, who was driving the motorcycle, disclosed his



name Masood and one loaded country made pistol recovered from his possession. The other apprehended person disclosed his name Md. Nayeem and one air gun recovered from his possession. Both the the apprehended persons disclosed the name petitioner, who succeeded to flee away.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that petitioner was not apprehended on the spot, rather, his name surfaced in the confessional statement of co-accused, who were apprehended on the spot. Further submission is that, in fact, petitioner is accused in eight other cases, as detailed in paragraph No.3 of the petition, due to that reasons, the petitioner has falsely been implicated in this case. The petitioner is in custody since 27.03.2019.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria in connection with Jokihat P.S. Case No. 394 of 2018.

(Rajendra Kumar Mishra, J)

manish/-

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

