

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25846 of 2020

Arising Out of PS. Case No.-55 Year-2019 Thana- KASBA District- Purnia

Mursalim @ Murta Salim, Male, Son of Md. Taimur, Resident of Village-
Naya Tola Jangala, P.S.- Srinagar, District- Purnia.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan, Advocate

For the Opposite Party/s : Mr. B.N. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 13-10-2020 Heard learned counsel for the petitioner and Mr. B.N. Pandey, learned Additional P.P. through video conferencing.

The petitioner seeks bail in Kasba P.S. Case No.55 of 2019, registered under Sections 399 and 402 of the Indian Penal Code and 25(1-b)A/26/35 of the Arms Act.

The informant, a police officer, got information that some criminals had assembled in the house of Suraj Choudhary and they were planning to commit dacoity. On such, a raid was conducted. Three persons, namely, Md. Hasan, Md. Shahzahan and Md. Akil were apprehended. Two persons, namely, Md. Mursalim and Md. Sirajul are said to have fled away after opening the backside door of the house. From possession of Md. Shahzahan @ Dipu, loaded country made pistol and live cartridges were recovered. From possession of Md. Akil also



loaded country made pistol with live cartridges were recovered.

By filing supplementary affidavit, learned counsel for the petitioner submits that the petitioner has got one criminal antecedent and he is in custody since 21.09.2019. Name of the petitioner surfaced in the case in the confessional statement of other co-accused.

Having regard to the facts that the petitioner was not apprehended on the spot and nothing has been recovered from either conscious or physical possession of the petitioner and the fact that the petitioner has remained in jail for more than a year, the petitioner, namely, Mursalim @ Murta Salim 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 the learned C.J.M., Purnia in connection with Kasba P.S. Case No.55 of 2019.

(Prabhat Kumar Jha, J)

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