

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14073 of 2021

Arising Out of PS. Case No.-103 Year-2020 Thana- ISHAKCHAK District- Bhagalpur

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MD SHAHNAWAZ@ SUNNI KHATAL @ MD SHAHNAWAZ ALI @
SUNNY Son of Late Md. Asgar Ali Resident of Mohalla - Barahpura, Police
Station - Ishakchak, District - Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : M/s Rama Kant Sharma, Sr. Advocate
Md. Najmul Hodda, Adv.

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 05-08-2021 Heard learned counsel for the parties through video
conferencing.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 399 and 402 of
the Indian Penal Code, sections 25(1-B)(a), 26 and 35 of the
Arms Act and sections 3 and 4 of the Explosive Substance Act.

As per allegation in the FIR, on information having
received that the accused persons were planning to give effect to
an occurrence a raid was conducted. It is stated that while some
of the accused persons managed to escape, the petitioner and
others were caught. A country made loaded pistol and an
automatic pistol together with five live cartridges was recovered



from the possession of the petitioner besides other articles including a magazine of a pistol from the *khatal*.

It is submitted by learned Senior counsel appearing for the petitioner that the allegations as levelled in the FIR are false and concocted. The petitioner has been falsely implicated in the case because of his antecedent. He is in custody since 3.9.2020 and investigation in the case has concluded. Co-accused Om Kumar has been enlarged on bail vide order dated 9.4.2021 passed in Cr. Misc. No. 6694 of 2021.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner having remained in custody since 3.9.2020 and investigation in the case having concluded, the Court directs the petitioner to be enlarged on bail in connection with Ishakchak P.S. Case no. 103 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur.

(Partha Sarthy, J)

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