

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46226 of 2021

Arising Out of PS. Case No.-127 Year-2020 Thana- MADANPUR District- Aurangabad

Saryu Bhuiyan Son Of Late Parmeshwar Bhuiyan Resident Of Village -
Chhalidohar (Munshi Bigha), P.S.- Madanpur, Dist.- Aurnagabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukul Kumari

For the Opposite Party/s : Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-09-2021 Heard learned counsel for the petitioner and learned A.P.P. for
the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the
defects within four weeks of resumption of normal court proceeding.
In the eventuality of non-removal of defects within undertaken
period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Madanpur P.S.
Case No. 127 of 2020, G.R. No. 1000/2020 registered for the offence
punishable under Sections 25(1-b)a, 26, 35 of the Arms Act and 17 of
C.L.A. Act.

On receipt of secret informant that some miscreants were
engaging themselves in supply of provisions and firearms to the
members of a Nexalite group, a raid was conducted by the police.
Allegedly, the persons named in the F.I.R., on seeing the police had
started fleeing away, who were apprehended. Thereafter, their houses



were searched. From petitioner's house some articles have been recovered suggesting his association with the Nexalite group, were recovered.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. He submits that similarly situated co-accused persons have been granted bail *vide* orders dated 12.02.2021 and 19.02.2021 in Cr. Misc. No. 36186 of 2020 and Cr. Misc. No. 34803 of 2020 respectively by different Co-ordinate Benches of this Court. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent as has been mentioned in para 3 of this bail application and he is languishing in custody since 28.06.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Madanpur P.S. Case No. 127 of 2020, G.R. No. 1000/2020.

(Anjani Kumar Sharan, J)

GAURAV S./-

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