

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 8417 of 2021

Arising Out of PS. Case No.-137 Year-2020 Thana- DHARHARA District- Munger

SHAMSHAD ANSARI S/o Musalim Resident of Village- Maneri Bigha, P.S.-
Mehandia, Distt- Arwal

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh
For the Opposite Party/s : Mr. A.P.P

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-06-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Dharhara (Hemzapur) P.S. Case No. 137 of 2020 registered under sections 399 and 402 of the Indian Penal Code and Sections 25(1-B)(a), 26(1) and 35 of the Arms Act.

As per allegation in the F.I.R., on information having been received that the accused persons had gathered in an orchard and were planning to give effect to an occurrence, a raid was conducted. It is stated that while four accused persons were caught and various incriminating articles including a loaded pistol, live cartridges etc., were recovered from their possession, one of the accused managed to escape and he was identified as the petitioner herein.



It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. He was neither arrested at the place of occurrence nor any incriminating article has been recovered from his possession. He is in custody since 28.8.2020 and has no criminal antecedent.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, no incriminating article having been recovered from the petitioner's possession and the period in custody, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Dharhara (Hemzapur) P.S. Case No. 137 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 Judicial Magistrate 1st Class, Munger.

(Partha Sarthy, J)

Spd/-

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

