

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1643 of 2022

Arising Out of PS. Case No.-132 Year-2021 Thana- AANDAR District- Siwan

MUMTAZ KHAN Son of Nasarullah Khan @ Nasirullah Khan Resident of
village - Khajepur Kala, P.S. - N.H. Nagar, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-05-2022 Heard the parties.

Petitioner seeks regular bail in connection with
Aandar M.H. Nagar PS Case No. 132 / 2021 registered for the
offence under Sections 399 / 402 of the IPC , Section 25 (1-b)a
/ 26 / 35 of the Arms Act and Section 3 / 4 of the Explosive
Substances Act.

As per the First Information Report from the house of
co-accused / Sanoj Patel one country made pistol and four
cartridges were recovered and the petitioner was arrested from
the spot along with other accused persons.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated since the petitioner had
gone to the house of Sanoj Patel in order to meet him inasmuch
as he is the co-villager of the petitioner. Learned counsel further
submits that petitioner has not committed any offence as alleged



and the co-accused / Sanoj Patel from whose house fire arms have been recovered has been granted bail by a Co-ordinate Bench of this court in Cr. Misc. No. 71741 / 2021 , the petitioner is in custody since 26-07-2021 and charge sheet has already been submitted.

Regard being had to the submissions made by the parties, taking into consideration the material available on record, the fact that petitioner is in custody since 26/7/2021 , similarly situated co-accused has been granted bail, charge sheet has already been submitted and there is no likelihood that petitioner will abscond or tamper with the evidence if released on bail, as as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -IV, Siwan in connection with Aandar M.H. Nagar PS Case No. 132 / 2021.

praful/-

(Anil Kumar Sinha, J)

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