

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19917 of 2020

Arising Out of PS. Case No.-352 Year-2018 Thana- MUNGER MUFFASIL District- Munger

MD. RIZWAN @ MD. RIZWAN KHAN Son of Late Md. Paithan @ Abul
Khan @ Abul Paithan Resident of Village/Muhalla- Sita Kund Road Mirzapur
Bardah, P.S.- Muffasil, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar Singh, Adv

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 18-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 121, 379, 414, 120B and 34 of the Indian Penal Code read with Sections 25(1-A)A, 25(1-AA), 25(1-B)A, 26 and 35 of the Arms Act and Section 39 of the Unlawful Activities (Prevention) Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 14.02.2019, charge-sheet has been submitted in the case and has antecedent of 09 cases out of which the petitioner has been acquitted in 03 cases.

Learned counsel for the petitioner submits that the present F.I.R. has been instituted based on an extra judicial



confession of Md. Tanveer Alam, who disclosed the name of 15 accused, as mentioned in the F.I.R., who are involved in illegal trading of arms.

Learned counsel for the petitioner submits that Tanveer Alam has not even remotely suggested about the petitioner and the name of this petitioner transpired during the course of investigation in the statement of co-accused Shamsheer Alam and thereafter the petitioner came to be arrested. Learned counsel further submits that similarly situated co-accused Pawan Mandal has been granted bail vide order dated 25.06.2019 passed in Cr. Misc. No. 37840 of 2019 and Sada Rifat has been granted bail vide order dated 04.09.2019 passed in Cr. Misc. No. 36506 of 2019.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 14.02.2019, charge-sheet has been submitted in the case and co-accused have been granted bail, let the petitioner above named be released 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 Muffasil P.S. Case No. 352 of 2018 with a condition that
one of the bailors of the petitioner shall be his wife Akhatari
Vegam.

(Satyavrat Verma, J)

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