

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37644 of 2021

Arising Out of PS. Case No.-22 Year-2021 Thana- DUMRAO District- Buxar

MD ISHTAQ @ ISTIYAQUE @ GUDDU S/O MD ABBAS @ ABAS
ALAM R/o village- Dhelwani Mohalla, Dumraon, P.S.- Dumraon, District-
Buxar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr .Baxi SRP Sinha, Sr. Advocate
Mr. Brajesh Prasad Gupta, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-01-2022 Heard Mr. Baxi SRP Sinha, learned senior counsel
for the petitioner and Mr. Akhileshwar Dayal, learned
Additional Public Prosecutor appearing for the State through
video conferencing.

Petitioner seeks regular bail in connection with
Dumraon P.S. Case No. 22 of 2021 registered for the offences
punishable under Sections 399, 402 of the Indian Penal Code
1860, Sections 25(1-b)a, 26 and 35 of the Arms Act.

The Police got information that 7-8 miscreants have
assembled at the place of occurrence and were planning to
commit the crime, proceeded towards the place of occurrence
and upon seeing the Police Party, the accused persons started
fleeing away. However, they were apprehended by the Police



and from possession of the petitioner two live cartridges of 3.15 bore were recovered.

Learned senior counsel for the petitioner submits that from perusal of the seizure list it would be evident that only two cartridges of 3.15 bore were recovered from possession of the petitioner. Learned counsel further submits that the petitioner has got no criminal antecedent, he is in custody since 14.01.2021 and other co-accused person has been granted bail by this Court in Cr. Misc. 33543 of 2021.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioner has got no criminal antecedent, he is in custody since 14.01.2021 and other co-accused has been granted bail by this Court in Cr. Misc. 33543 of 2021 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar, in connection with Dumraon P.S. Case No. 22 of 2021.

It is made clear that at the time of furnishing bail



bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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