

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28386 of 2022

Arising Out of PS. Case No.-165 Year-2020 Thana- SANOKHAR District- Bhagalpur

MD RAFIQUE @ RAFIK ALAM S/o Abdool Gafoor R/o Village- Amdanda,
P.S.- Amdanda, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anupa Nand Jha

For the Opposite Party/s : Ms.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-06-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Sanokhar Police Station Case No. 165 of 2020, registered for the offences punishable under Sections 25 (1-B) (a)/26 of the Arms Act.

This is the second attempt on behalf of the petitioner for grant of regular bail. Earlier, the prayer for regular bail of the petitioner was dismissed as withdrawn, vide order, dated 03.01.2022, passed in Criminal Misc. No. 34273 of 2021, giving liberty to the petitioner to renew his prayer for bail after three months from the date of the order.

The prosecution case, as per the First Information Report, is that one double barrel gun, one pistol, magazines of



two pistols and some live cartridges were recovered from the house of the petitioner.

Learned Counsel for the petitioner submits that the petitioner has renewed his prayer for bail, as observed by this Court in the order dated 03.01.2022. He further submits that the petitioner has got no criminal antecedent and he has falsely been implicated in this case due to political rivalry. He further submits that the petitioner is in custody since 16.12.2020 and charge sheet has already been submitted and as such there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Having regards to the submissions advanced on behalf of the parties and taking into consideration the fact that this is second attempt on behalf of the petitioner for grant of regular bail, the petitioner is in custody since 16.12.2020, having no criminal antecedent and charge sheet has been submitted against him, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 7th Additional Chief Judicial Magistrate, Bhagalpur, in



connection with Sanokhar Police Station Case No. 165 of 2020.

This is subject to the condition that the petitioner shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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