

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43257 of 2021

Arising Out of PS. Case No.-44 Year-2021 Thana- JANKINAGAR District- Purnia

Md. Rustam S/O Md. Ilyas R/O Village-Vinoba Gram Police Station Janki Nagar, District-Purnia

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikram Singh
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-01-2022 Heard.

The petitioner seeks regular bail in connection with Janki Nagar P.S. Case No. 44/2021, registered for the offence punishable under Section 414 of the Indian Penal Code and sections 25(1-b) a, 26, 35 of the Arms Act.

The allegation is regarding three miscreants having been apprehended by the police on suspicion, whereafter search was made and as far as the petitioner is concerned, two live cartridges and one mobile phone was recovered.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and he is languishing in custody since 16.6.2021. The learned counsel for the petitioner has further submitted that on account of bad antecedent of the petitioner herein, the petitioner has been roped in the present case, without any rhyme of reason.



Per contra, the learned APP appearing for the State has vehemently opposed the prayer for regular bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that only two live cartridges have been recovered from the petitioner and the petitioner is languishing in custody since a long time, I deem fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Janki Nagar P.S. Case No. 44/2021.

(Mohit Kumar Shah, J)

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