

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47490 of 2021

Arising Out of PS. Case No.-104 Year-2021 Thana- KANTI District- Muzaffarpur

MD. SAJJAD Son of Md. Muslim Resident of Village - Koluha
Paigambarpur, P.S.- Ahiyapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Advocate
For the Opposite Party/s : Ms. Anita Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-02-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Kanti Police Station Case No. 104 of 2021, registered for the offences punishable under Sections 399/ 400/ 402 of the Indian Penal Code, Sections 20/22 of the N.D.P.S. Act and Sections 25(1-b)a/26/35 of the Arms Act.

The prosecution case, as per the First Information Report, is that the police, on the basis of secret information that 7-8 miscreants have assembled near the Housing Board Office at NH-28, proceeded towards the place of occurrence and upon seeing the police, they started fleeing away and two accused persons managed to escape, however, the petitioner along with five other accused persons were apprehended and from the



possession of the petitioner one country made pistol and from possession of another co-accused, 325 grams of “Charas” have been recovered.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case and he has not committed any offence in the manner alleged. He further submits that the *charas* has been recovered from the possession of co-accused Md. Shahid, who has been granted bail by this Court in Criminal Misc. No. 35168 of 2021. He also submits that other co-accused persons have been granted bail by this Court as well as co-ordinate Bench of this Court in Criminal Misc. No. 35168 of 2021, 43569 of 2021 and 28405 of 2021 respectively. The petitioner is in custody since 11.02.2021, having no criminal antecedent.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record and the fact that the petitioner has got no criminal antecedent, he is in custody since 11.02.2021 and other co-accused persons have been granted bail by this Court as well as co-ordinate Bench of this Court, 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.10,000/-
(Ten thousand) with two sureties of the like amount each to the
satisfaction of learned Sessions Judge cum Special Judge,
Muzaffarpur, in connection with Kanti P.S. Case No. 104 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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