

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49825 of 2021

Arising Out of PS. Case No.-357 Year-2018 Thana- MUNGER MUFFASIL District- Munger

SADA RIFAT W/o MD. IMRAN ALAM R/o VILLAGE/MOHALLA-
MIRZAPUR BARDHEY, P.S.- MUFFASIL, DISTRICT-MUNGER.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar Singh

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-02-2022 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 121, 379, 414, 120B/34 of the Indian Penal Code, u/s 25(1-A), 35 (1-AA) 25(1-B) A, 27, 35 of Arms Act and u/s 39 of U.A.P. Act.

As per the prosecution case, the petitioner along with other accused persons are alleged to be indulged in selling illegal arms to Naxalites and other criminals.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. The petitioner is not named in the FIR. The name of petitioner surfaced in the case on the basis of confessional statement of co-accused. No incriminating article has been recovered from the conscious possession of the petitioner. Only



allegation against the petitioner is of smuggling and selling AK 47 rifle and their parts to Naxalites and other criminals. Similarly situated accused person has already been granted bail by this court vide order dated 11.12.2019 passed in Cr. Misc. No. 46495 of 2019. Although, the petitioner has got criminal antecedent and six other criminal cases are pending against him but in all those cases the petitioner is on bail. Petitioner is in custody since 04.09.2019 and investigation in this case is complete .

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Munger in connection with Munger Muffasil PS case No. 357/2018.

(Prabhat Kumar Singh, J)

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