

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49754 of 2021

Arising Out of PS. Case No.-160 Year-2021 Thana- UCHKAGAON District- Gopalganj

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ATIUR RAHMAN @ ATAUR RAHMAN @ LADDAN Son of Tahir Hussain
Resident of Village - Asandapur, P.S. - Uchakagaon, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Javed Aslam, Advocate

For the Opposite Party/s : Mr.Ashok Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-03-2022 Heard the learned counsel for the petitioner and Sri

Ashok Kumar, the learned APP for the State.

The petitioner seeks regular bail in connection with Uchkagaon PS case no. 160 of 2021 instituted for the offences punishable under Sections 399, 402, 414, /34 of Indian Penal Code and Sections 25(1-b)a, 26, 35 of Arms Act.

The case of the prosecution in brief is that the informant had received a confidential information that some miscreants had assembled at the railway crossing of village Siswania Dhala and were hatching a conspiracy to commit some offence, whereafter the informant along with the police force had reached at the place of occurrence and had caught some miscreants including the petitioner herein, however some of them had managed to flee away. Thereafter, search was made



and as far as the petitioner is concerned, one mobile phone was recovered while some arms/ ammunition were recovered from other apprehended miscreants.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 28.05.2021. The learned counsel for the petitioner has further submitted that though the petitioner is an accused in one other case but he is on bail in the said case. Lastly, it is submitted that neither any arms/ ammunition nor any looted articles have been recovered from the conscious possession of the petitioner.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for 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 neither any arms/ ammunition nor any looted articles have been recovered from the conscious possession of the petitioner and he is stated to be languishing in custody since about 09 months, I deem it fit and proper to admit the petitioner to the privilege of bail.



Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of A.C.J.M. IX, Gopalganj in connection with Uchkagaon PS case no. 160 of 2021.

(Mohit Kumar Shah, J)

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