

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57086 of 2021

Arising Out of PS. Case No.-543 Year-2020 Thana- KHAJANCHI HAT District- Purnia

Md. Yusuf, aged about 28 years (M), Son of Md. Raisuddin Resident of
Village- Rangpura, P.S.- Mirganj, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand, Adv.

For the State : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-02-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
G.R. Case No. 3227 of 2020 arising out of K. Hat P.S. Case No.
543 of 2020 registered for the offence under Sections 25(1-b) a
and 26 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 30.04.2021, the charge-sheet has
been submitted and has criminal antecedent of one case.

The Informant in the F.I.R. alleges that the fire-arms
have been recovered from the house of Shakti Mallik where the
Informant had gone to investigate about his murder and was



informed by the brother and driver of Shakti Mallik that the arms belongs to the accused, who killed the deceased.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and the allegation made in the F.I.R. appears to be completely absurd and it is said that it does not stand to the reason that the accused, after killing the deceased, would leave all the arms and ammunition in his house for creating an evidence against him for getting implicated. He further submits that as per F.I.R., the petitioner was not apprehended at the spot and nothing incriminating has been found from his possession and merely on the statement of the brother and driver of Shakti Mallik, the present petitioner has been made accused in the present case.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody and charge-sheet has been submitted and the fact that the petitioner was not apprehended at the spot as also no incriminating article has been found from the possession of the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of



learned Judicial Magistrate, 1st Class, Purnea in connection with
G.R. Case No. 3227 of 2020 arising out of K. Hat P.S. Case No.
543 of 2020.

(Satyavrat Verma, J)

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