

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58362 of 2021

Arising Out of PS. Case No.-84 Year-2021 Thana- PHULPARAS District- Madhubani

Md. Farmud Son Of Muskil Resident Of Village - Gattipatti Balua, P.S. -
Phulparas, District - Madhubani.

... .. Petitioner/S

Versus

The State Of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav

For the State : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-03-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in connection with Phulparas P.
S. Case No.84 of 2021, instituted for the offences under Section 414
of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms
Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 13.02.2021, charge-sheet has been
submitted in the case and has antecedent of four cases.

The learned counsel for the petitioner submits that the
informant alleges that a country-made pistol was recovered from the
accused Md. Sabir and the petitioner along with one another is
alleged to have been on the motorcycle with Md. Sabir.

The learned counsel for the petitioner submits that from
perusal of the allegation as alleged in the F.I.R., it would manifest
that nothing was recovered from the possession of the petitioner.
Whatever recovery was made, that was from Md. Sabir and the



petitioner came to be implicated merely because he was also present at the place of occurrence along with Md. Sabir.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted in the case and taking into consideration the submissions of the learned counsel for the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Jhanjharpur, Madhubani in connection with Phulparas P. S. Case No.84 of 2021, subject to condition that one of the bailors shall be the father of the petitioner namely, Muskil and in the event, if the petitioner is implicated in a case of similar nature and the same comes to the notice of learned Court below, the learned Court below shall forthwith cancel his bail bonds.

The application stands allowed.

(Satyavrat Verma, J)

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