

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66194 of 2021**

Arising Out of PS. Case No.-148 Year-2021 Thana- KURSAKANTA District- Araria

ABRAR @ MD. ABRAR Son of Salik @ Md. Salik Resident of Village-
Sonapur, Mansuri Tola, Ward No.06, P.S.- Kursakanta, Dist- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 71906 of 2021

Arising Out of PS. Case No.-148 Year-2021 Thana- KURSAKANTA District- Araria

MALLAM HUSSAIN Son of Hasim Resident of Village- Kamaldaha, P.S.-
Kursakanta, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 66194 of 2021)

For the Petitioner/s : Mr.Ramesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

(In CRIMINAL MISCELLANEOUS No. 71906 of 2021)

For the Petitioner/s : Mr.Ramesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 20-04-2022

CRIMINAL MISCELLANEOUS No.66194 of 2021

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 413 and 414 of the Indian
Penal Code read with Sections 25(1-b)a, 26 and 35 of the Arms



Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 01.08.2021, charge-sheet has been submitted in the case and has antecedent of one case.

Learned counsel for the petitioner submits that allegation is of recovery of a motorcycle from Mallam Hussain, further from Md. Samim a country-made pistol with three life cartridges along with other articles is alleged to have been recovered and from the petitioner, it is alleged that Pan Card, Voter Card and Aadhar Card were recovered.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and the Pan Card, Voter Card and Aadhar Card belong to the petitioner and as such nothing was recovered from his possession.

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

Considering the fact that the petitioner is in custody since 01.08.2021 and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor



court in connection with Kursakanta P.S. Case No. 148 of 2021.

CRIMINAL MISCELLANEOUS No. 71906 of 2021

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 413 and 414 of the Indian Penal Code read with Sections 25(1-b)a, 26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 01.08.2021, charge-sheet has been submitted in the case and is a person with clean antecedent.

Learned counsel for the petitioner submits that the allegation is of recovery of a motorcycle from the petitioner, further from Md. Samim a country-made pistol with three life cartridges along with other articles is alleged to have been recovered and from Md. Abrar, it is alleged that Pan Card, Voter Card and Aadhar Card were recovered.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, nothing was recovered from his possession and the petitioner was a passerby who came to be implicated when the search was made by the police.

Learned A.P.P. for the State opposes the prayer for



bail of the petitioner.

Considering the fact that the petitioner is in custody since 01.08.2021, is a person with clean antecedent and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kursakanta P.S. Case No. 148 of 2021.

(Satyavrat Verma, J)

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