

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70626 of 2021

Arising Out of PS. Case No.-796 Year-2021 Thana- FORBESGANJ District- Araria

MD MARGUB @ MARGUB MD ISRAFIL @ ESRAFIL RESIDENT OF
VILLAGE- HALDIA, WARD NO. 13, P.S. - FORBESGANJ, (SIMRAHA),
DIST- ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha, Adv.

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 06-06-2022

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 25(a)(1-A)(1-B)(a) & (b), 26 (1) & (2) and 35 of the Arms Act.

As per the prosecution case, on information having been received that the accused persons including the petitioner had gathered and were planning to give effect to an occurrence, it is stated that a raid was conducted and two accused persons with arms and ammunitions were caught. They disclosed that the petitioner was amongst the three accused persons who had managed to escape.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case



because of his antecedent. Neither the petitioner was arrested at the spot nor any incriminating article was recovered from his possession. The only material against him is the statement of the coaccused made before the police. He is in custody since 6.10.2021 and chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner not having been arrested at the spot and having remained in custody for 8 months, the Court directs the petitioner to be enlarged on bail in connection with Forbesganj (Simraha) P.S. Case no. 796 of 2021 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 Chief Judicial Magistrate, Araria.

(Partha Sarthy, J)

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