

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9265 of 2023

Arising Out of PS. Case No.-740 Year-2022 Thana- ARARIA District- Araria

Md. Shahid S/O Mohd. Hazi Kabir R/V- Chakradah, Ward No. 9, P.S.- Araria,
R.S. O.P., District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sugandha Prasad

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 413, 414, 120B of the Indian Penal Code and Sections 25(1-B)a/26/35 of Arms Act.

As per FIR, allegation against the petitioner who is also informant of this case, is that he implicated one Md. Gufran by handing over incriminating weapons as well as one stolen motorcycle to the police which alleged to have been recovered from possession of accused Md. Gufran. The petitioner made false story against Md. Gufran and made him an accused.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. It is further submitted vide para 5 & 7 of the petition that the petitioner is



the informant of this case and has falsely been implicated by the I.O. without any incriminating evidence found against him rather the petitioner himself called the police on the alleged date of occurrence and handed over the incriminating weapons which was found in the possession of Md. Gufran. The petitioner has no concern with the case and languishing in judicial custody since 22.10.2022. The petitioner has also got no criminal antecedent.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Araria (R.S.) P.S. Case No. 740 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Araria.

(Sunil Kumar Panwar, J)

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