

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8704 of 2023

Arising Out of PS. Case No.-622 Year-2022 Thana- SAKRA District- Muzaffarpur

MD FAIZAN S/O Md. Gulfan @ Md. Irfan R/O Village- Gannipur Bejha,
P.S- Sakra, District- Muzaffarpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Preety Kunwar

For the Opposite Party/s : Mr. Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-04-2023 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 412, 413, 414, 467, 468, 469 of the I.P.C. and Sections 25(1-b)a, 26, 35 of Arms Act.

The prosecution case, in brief, is that the informant along with police personnel raided the hut situated at village Gannipur Beja and apprehended the accused persons including the petitioner. Upon search, one country made pistol along with live cartridge was recovered from possession of co-accused Manish Kumar. It is further alleged that two stolen motorcycles were also seized from place of occurrence.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. The petitioner has no concern with the alleged arms and the two motorcycles which were said to be stolen, have not been recovered from possession of this petitioner. It is further submitted that the seizure list witness are police officials not a single independent witness which violates section 100 of Cr.P.C. Moreover, the petitioner is languishing in judicial custody since 24.11.2022.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sakra P.S. Case No. 622 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 A.C.J.M. 12th, Muzaffarpur (East).

(Sunil Kumar Panwar, J)

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