

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13510 of 2023

Arising Out of PS. Case No.-479 Year-2022 Thana- FATEHPUR District- Gaya

Md. Hussain Ansari @ Tipu Sultan @ Teepu Sultan S/O Md. Zubair Ansari
R/O Village- Dhanbai, Basepur, P.S.- Bank More, Distt- Dhanbad
(Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-07-2023 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 414 and 120(B) of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of Arms Act.

As per allegation in the FIR, on secret information, from the place of occurrence, four persons including this petitioner with three motorcycles were apprehended. On search, one loaded country made pistol, six live cartridges and some other objectionable articles have been recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that petitioner has no concern with the seized article and also there is no independent witness of the seizure list. It is also submitted that similarly situated other co-accused persons have already been granted bail by this Court vide order dated 04.04.2023 in Cr. Misc. No. 69054 of 2022 and order dated 06.04.2023 in Cr. Misc. No. 4734 of 2023. Moreover, the petitioner is languishing in judicial custody since 31.07.2022.

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 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 Fatehpur P.S. Case No. 479 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 Additional Chief Judicial Magistrate-Xth, Gaya.

(Sunil Kumar Panwar, J)

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