

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14386 of 2023

Arising Out of PS. Case No.-1146 Year-2022 Thana- PHULWARISHARIF District- Patna

RIZWAN ABID S/o Maksood Alam R/o Village- Isopur Bagh Mohalla
Amrudi Gali, P.S.- Phulwari Sharif, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jata Shankar Jha

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-05-2023 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 392, 411, 414/120(B) of the Indian Penal Code and Sections 25(1-B)a, 26, 35 of Arms Act.

As per FIR, prosecution case relates to recovery of one live cartridge as well as one motorcycle from possession of the co-accused persons. It is further alleged that one of the co-accused persons disclosed the name of the petitioner thereafter, this case has been lodged.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner has falsely been implicated in this case on the basis of suspicion. Neither the petitioner was arrested on spot nor any



stolen article has been recovered from his conscious possession. The name of the petitioner has been transpired in this case on the basis of confession made by co-accused namely, Md. Sahil who was arrested on spot. Moreover, similarly situated co-accused namely, Md. Imteyaz has already been granted bail by this Court vide order dated 3.5.2023 passed in Cr. Misc. No. 10061 of 2023. The petitioner has got no criminal antecedent and languishing in judicial custody since 20.9.2022.

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 Phulwarisharif P.S. Case No. 1146 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.-XIV, Patna.

(Sunil Kumar Panwar, J)

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