

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15896 of 2023

Arising Out of PS. Case No.-247 Year-2022 Thana- SHAHKUND District- Bhagalpur

Md. Ramim @ Futwa S/O Late Md. Aurangjeb Resident of Village- Dauna,
P.S.- Sajour, (Shahkund), District- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-07-2023 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 25(1) (1-AA)/25[(1-(1-b)C], 26, 28, 135 of the Arms Act.

As per F.I.R., it is a case of recovery of huge quantity of arms and ammunitions, mobile phones and tools from the house 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 due to local politics. Neither the petitioner was apprehended on the spot nor any incriminating article has been recovered from the conscious possession of the petitioner. The name of the petitioner has been transpired in this case on the basis of confessional statement of apprehended co-accused Md.



Ekram from whose possession the incriminating weapons were recovered. Co-accused Md. Ekram is own brother of petitioner but petitioner has no concern with him and the petitioner is not residing in that house from where the arms has been recovered. There is no independent witness of seizure list. The petitioner has got no criminal antecedent as stated in para 3 of the bail petition. Other co-accused namely Md. Ekram has already been granted bail by this Bench vide order dated 26.06.2023 passed in Cr. Misc. No. 17414 of 2023. Moreover, the petitioner is languishing in judicial custody since 10.11.2022.

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 as well as period of 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 Shahkund (Sajour) P.S. Case No. 247 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.-II, Bhagalpur.

(Sunil Kumar Panwar, J)

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