

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17602 of 2023

Arising Out of PS. Case No.-105 Year-2021 Thana- MORKAHI District- Khagaria

Md. Sakim, S/o Late Mokin, Resident of Village-Mirzapur, Vardha, P.S.-
Muffasil, District-Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Anjani Pd. Singh

For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-05-2023 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 25(1-
b)AA, 26(1) (2)/35 of Arms Act.

It is a case of recovery of live cartridges and
several other incriminating articles used in manufacturing
of illegal weapons from the house of co-accused Nand
Kishore Yadav.

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 name of petitioner
sprang up in this case on the confessional statement of co-
accused Md. Khurshid Alam. Neither the petitioner was



apprehended on spot nor anything incriminating article has been recovered from the conscious possession of the petitioner rather recovery has been made from the house of co-accused Nand Kishore Yadav. There is no independent witness of the alleged seizure. Moreover, the petitioner is languishing in judicial custody since 12.09.2022.

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 Morkahi P.S. Case No. 105 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Khagaria.

(Sunil Kumar Panwar, J)

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