

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16412 of 2023

Arising Out of PS. Case No.-112 Year-2021 Thana- LAHERIYASARAI District- Darbhanga

Md. Arzoo Son Of Ashraf Ali @ Chand Tailor R/O Mohalla- Imali Bazar
Purani Munisfi, P.O.- Lalbag, P.S.- Laheriasarai, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Jha

For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-05-2023 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 399, 402 of the Indian Penal Code and Sections 25(1-b)a, 26, 27 and 35 of the Arms Act.

The prosecution case relates to recovery of one pistol, one cartridge and other articles from the possession of the co-accused, namely, Md. Kaif and upon his confession name of the petitioner surfaced in this case.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of



confessional statement of co-accused. Neither the petitioner was arrested on the spot nor any incriminating article has been recovered from his conscious possession. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 10.03.2022 passed in Cr. Misc. No. 47596 of 2021. It is further submitted that the petitioner is languishing in judicial custody since 24.06.2022.

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 Laheriasarai P.S. Case No. 112 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 Chief Judicial Magistrate, Darbhanga.

(Sunil Kumar Panwar, J)

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