

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24571 of 2023

Arising Out of PS. Case No.-190 Year-2019 Thana- SIDHWALIYA District- Gopalganj

MD. IRFAN S/O MD. ASAD @ AJAD MIYAN @ MD. AZAD Resident of
village- Nabiganj Bazar, P.S.- Basantpur, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Anupam

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-05-2023 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, 413, 414 of the Indian Penal Code and Section 25(1-b)A, 26(1)(2)/35 of Arms Act and Section 8(C)/20(b)(ii)(B) of the N.D.P.S. Act.

As per FIR, allegation against the petitioner along with co-accused persons that while they were assembled and preparing for committing offence, the police party raided the place of occurrence and arrested them. On search, one loaded automatic pistol along with three live cartridges was recovered. It is further alleged that 370 gram ganja was also seized from a vehicle.



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 petitioner has no concern with the alleged arms or narcotic substance which were seized by the police. It is further submitted that the seized motorcycle from where the ganja like substance was recovered, does not belong to the petitioner. Moreover, the petitioner is languishing in judicial custody since 16.10.2019.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner has got several criminal antecedents.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sidhwaliya P.S. Case No. 190 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. 1st Gopalganj.

(Sunil Kumar Panwar, J)

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