

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20301 of 2023

Arising Out of PS. Case No.-541 Year-2022 Thana- KUCHAIKOTE District- Gopalganj

Nasir Ali, Gender-Male, aged about 19 years, Son of Khodadin Miyan @
Khudin Miyan, Resident of Village- Khajuri, P.S Kuchaikote, District
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the State : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Kuchaikote P. S. Case No. 541 of 2022 dated 20.12.2022
registered for the offence punishable under Sections 398 and
401 of the Indian Penal Code and Sections 25(1-B) a, 26 and 35
Arms Act.

As per prosecution case, the petitioner along with two
other co-accused were apprehended with the arms. From the
petitioner, a knife was recovered while one loaded country made
pistol with cartridges were recovered from co-accused Tiger
Singh and iron fighter was recovered from co-accused Amir
Khan. It is alleged that they were assembled with a plan to
commit crime.



Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and there was no recovery from the petitioner as alleged by the prosecution. The petitioner having no criminal antecedent is in jail custody since 21.12.2022. Charge sheet has already been filed against the petitioner and there is no chance of his absconding or tampering with the evidence if released on bail. Learned counsel submits that the other co-accused persons namely, Amir Khan and Tiger Singh has already been granted bail by the learned Court below.

Learned APP appearing for the State opposes the prayer for regular bail of the petitioner.

Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Ist, Gopalganj in connection with Kuchaikote P. S. Case No. 541 of 2022.

(Sunil Dutta Mishra, J)

P. Kumar

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