

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22537 of 2023

Arising Out of PS. Case No.-357 Year-2018 Thana- MUNGER MUFFASIL District- Munger

AJMERI BEGUM, aged about 76 years (Female), WIFE OF LATE MD.
ANIS RESIDENT OF VILLAGE/MOHALLA- MIRZAPUR BARDHEY,
PS- MUFFASIL, DISTT- MUNGER

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar Singh, Advocate

For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH

ORAL ORDER

2 23-05-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with S.T.
No.293 of 2021 arising out of Muffasil P.S. Case No. 357 of
2018 dated 02.10.2018 registered for the offence(s) punishable
under Section(s) 121,379,414,120(B),34 of the Indian Penal
Code, Sections 25(1-A),25(1-AA),25(1-b)a,26,35 of the Arms
Act and Section 39 of the Unlawful Activities (Prevention) Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that the petitioner is 76 years old
lady and, she has been languishing in jail since 20.09.2019, she
is not named in the FIR and in course of investigation on
16.10.2018, co-accused Md. Manzar Alam @ Manjeet
confessed before the police and disclosed the name of this
petitioner as well as twenty nine other persons being involved



in the alleged crime but except this, there is no any other material against this petitioner to connect her with the alleged crime and the said statement of co-accused Md. Manzar Alam @ Manjeet has no evidentiary value and the said co-accused Md. Manzar Alam @ Manjeet has been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No.54250 of 2021 and as per FIR, the main allegation of manufacturing and smuggling of illicit prohibited firearms is against co-accused persons, namely, Md. Manzar Alam @ Manjeet, Sabnam Sultana, Md. Lukman, Ayisha Begum, Shamsheer Alam etc., whose details are mentioned in the FIR which is based on self-statement of concerned police official but the name of this petitioner did not find any place in the FIR. Further submission is that some other co-accused persons, namely, Rajiv Kumar Singh @ Chunnu, Kundan Mandal, Akash Kumar, Rahul Kumar, Rajiv Ranjan, Aisha Begum and Amna Khatoon have been granted regular/anticipatory bail by different co-ordinate Benches of this Court vide orders passed in Cr. Misc. Nos.12241 of 2019, 18845 of 2019, 21103 of 2019, 21453 of 2019, 22001 of 2019, 27068 of 2019 and 46495 of 2019 respectively. Further submission is that though against the petitioner, there is criminal antecedent of four cases but out of



the said cases, she has been acquitted in two cases of her antecedent and in one case, she has been granted bail and in another case her bail prayer is pending before the court concerned.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the petitioner's old age as disclosed in the petition as well as her long custody period which has been about three years and eight months and many co-accused persons, some carrying similar nature of allegation and some carrying more serious allegation than this petitioner, are on bail, as mentioned above, and the petitioner is not named in the FIR, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with S.T. No.293 of 2021 arising out of Muffasil P.S. Case No. 357 of 2018 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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