

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23922 of 2023

Arising Out of PS. Case No.-1 Year-2023 Thana- MALAYPUR District- Jamui

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BABLOO SEKH @ MD. IQBAL Son of Md. Jamal R/o Mirjapur Bardah,
PS- Muffasil, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 23-05-2023 Heard learned senior counsel for the petitioner and
learned A.P.P for the State.

2. The petitioner seeks bail in connection with Mallepur
(Malaypur) P.S. Case No. 01 of 2023 dated 04.01.2023
registered for the offence punishable under Sections 25 (1-B)a,
26 and 35 of the Arms Act.

3. The prosecution case, in short, is that on 04.01.2023 on
secret information police team surrounded one suspect named
Md. Irshad and on search of this accused three pistol, two blank
magazine and one loaded magazine was recovered. Also a
mobile and some cash was recovered. On asking this accused
told that Bablu Sekh (petitioner) had given these arms and said
to deliver at Dhanbad Station to a person and take cash from



him.

4. Learned senior counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that petitioner is not named in the F.I.R.. Only on the basis of confessional statement of co-accused Md. Irshad he has been made accused in this case. It is also submitted that as per the seizure list, all the incriminating articles were recovered from the possession of co-accused Md. Irshad. Further, it is submitted that nothing has been recovered from the possession of the petitioner. Lastly, it has been submitted that the petitioner is in custody since 07.01.2023, having four criminal cases against him and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Jamui in connection with Mallepur (Malaypur) P.S. Case No. 01 of 2023, subject to the following conditions:-



1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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