

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27945 of 2023

Arising Out of PS. Case No.-182 Year-2021 Thana- JAYNAGAR District- Madhubani

ZIAUL @ ZIABUL S/O MD. ANSARUL HAK @ MD. ANSARUL HAQHE
R/O Village- Bhelwa Tol, P.S- Jaynagar, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Gagan Deo Yadav Mr.Ravi Prakash Mr. Rakesh Kumar
For the Opposite Party/s :		Mr.Lalan Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner has preferred this application for grant of regular bail in connection with Jaynagar P.S. Case No. 182 of 2021 dated 22.6.2021 registered for the offences punishable u/s 414/34 of the Indian Penal Code and Section 25(1-B)a/26/35 of the Arms Act.

As per the prosecution case, the police apprehended the petitioner and seized his motorcycle and there is recovery of



one pistol, 7 live cartridges and a purchase receipt of mobile phone from the possession of the petitioner. Further, on information, the police also recovered Rs. 13,500/- from the house of the petitioner. Further, the police recovered 2 loaded pistol and a magazine from the house of the co-accused person.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing has been recovered from the conscious possession of the petitioner. The alleged recovery is made from the house of the co-accused persons. The co-accused persons have already been granted bail by the Coordinate Bench of this Court vide order dated 11.5.2022 passed in Cr. Misc. No. 324 of 2022 and vide order dated 15.6.2022 passed in Cr. Misc. No. 10295 of 2022. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 20.7.2021.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond



of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Madhubani in connection with Jaynagar P.S. Case No. 182 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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