

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30307 of 2023

Arising Out of PS. Case No.-353 Year-2018 Thana- MUNGER MUFFASIL District- Munger

MD IRFAN @ MD IRFAN ALAM SON OF MD BASIR @ KALANDAR
RESIDENT OF VILLAGE MIRZAPUR BARDAH, PS MUFFASIL, DISTT
MUNGER.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajnish Kumar Singh

For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 24-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 121, 379, 414, 120B
and 34 of the Indian Penal Code and Sections 25(1-A), 25(1-
AA), 25(1-B)A, 26 and 35 of the Arms Act.

3. As per prosecution case, on the confession of Md.
Rizwan @ Bhutto, some parts of A.K.-47 have been recovered
from the field of one Ajmeri Begum.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. The name of the petitioner has come into
light, on the basis of confessional statement of co-accused Md.



Manjar Alam @ Manji, which has got no evidentiary value in the eyes of law. Petitioner has no concern with the alleged recovery and no incriminating articles have been recovered from the conscious possession of the petitioner. He further submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 31.03.2022 passed in Cr. Misc. No. 26426 of 2021. He is languishing in judicial custody since 02.11.2018.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Munger Muffasil P.S. Case No. 353 of 2018.

(Sunil Kumar Panwar, J)

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