

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39855 of 2023

Arising Out of PS. Case No.-293 Year-2022 Thana- KISHANGANJ District- Kishanganj

MD ARMAN @ ARMAN ALAM @ CHANO @ CHAND S/O AKHTAR
HUSSAIN R/o Mohiuddinpur, Ward No.01, P.S.-Kishanganj, District-
Kishanganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 399, 402 of Indian Penal Code and Sections 25(1-b)a, 26, 35 of Arms Act.

3. As per FIR, allegation against the petitioner along with co-accused persons that while they were assembled and preparing for committing offence, the police party raided and arrested one of them who disclosed the name of the petitioner. On search, one country made pistol was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no concern with the alleged recovery of arms or with the co-



accused persons. His name was disclosed by the co-accused who was apprehended on spot. Neither the petitioner was arrested on spot nor any incriminating material has recovered from his conscious possession. Moreover, similarly situated co-accused namely, Rizwan Ahmad has already been granted bail by a co-ordinate Bench of this Court vide order dt. 1.5.2023 passed in Cr. Misc. No. 5755 of 2023. The petitioner has got no criminal antecedent and languishing in judicial custody since 12.2.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Kishanganj P.S. Case No. 293 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Kishanganj.

(Sunil Kumar Panwar, J)

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