

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34974 of 2023

Arising Out of PS. Case No.-32 Year-2023 Thana- RAJNAGAR District- Madhubani

Md. Rizwan S/O Mustakim R/O Village-Kujra Tola Ranti ward no. 04, P.S.-
Rajnagar, Dist.-Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate

Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Rajnagar P.S. Case No. 32 of 2023 registered on 12.02.2023 for the alleged offences under Sections 399, 402 of the Indian Penal Code and Sections 25(1-b)a/26/35 of the Arms Act.

3. As per prosecution case, police received information about some miscreants making preparation for committing dacoity in the house of the petitioner. A raid was conducted and from possession of the petitioner recovery of a knife was made whereas one pistol was recovered from the possession of co-accused Md. Dilsan.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is no recovery from this petitioner and the knife shown to be recovered from the petitioner is a knife used for cutting vegetable as the petitioner is a vegetable seller and his father is having a vegetable shop at Ranti Chowk. The petitioner is in custody since 13.02.2023 and charge sheet has been submitted. The petitioner is having no criminal antecedent.

5. Learned APP opposes the prayer for bail submitting that the petitioner and others were making preparation for committing dacoity and the petitioner was apprehended with a knife.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani /concerned court in connection with Rajnagar P.S. Case No. 32 of 2023, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

(i) One of the bailors will be a close relative of



the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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