

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37805 of 2023

Arising Out of PS. Case No.-58 Year-2023 Thana- CHERIYA BARIYARPUR District-
Begusarai

MD. SHAHRUKH S/O MD. SULEMAN @ MD. SULAMAN R/O Village-
Killi Mohanpur, Ward No. 06, PS. Muffasil, Dist. Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar
For the Opposite Party/s : Mr.Nagendra Prasad

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 05-07-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with Cheriya Bariyarpur P.S. Case No. 58 of 2023, registered for the offences punishable under Sections 399 and 402 of the Indian Penal Code and Section 25 (1-b)A, 26(ii) and 35 of the Arms Act.

As per allegation, the police got information that co-accused Jai Jai Ram Jha along with his associates was planning to commit dacoity. The place of occurrence was raided and five persons were apprehended by the police.

The learned counsel for the petitioner has submitted that the petitioner is innocent. Some arms and ammunition were



recovered from other co-accused persons but nothing was recovered from possession of this petitioner. The petitioner is under custody since 18.03.2023.

On the other hand, the learned Addl.P.P. has opposed the prayer for bail

Considering the above-mentioned facts and circumstances as well as clean antecedent of the petitioner, let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Manjhaul, Begusarai in connection with Cheriya Bariyarpur P.S. Case No. 58 of 2023, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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