

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44056 of 2023

Arising Out of PS. Case No.-242 Year-2022 Thana- HALSI District- Lakhisarai

Md. Ragiv @ Ragiv Mahmud son of Najir Baig R/o- Oraiya, Konag, P.S.-
Halsi, Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Adil Abbas

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 25(1-b)a/26/35 of the Arms Act.

The prosecution case relates to recovery of a pistol along with three live cartridges from the car of the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and committed no offence. The petitioner was not apprehended on the spot rather being owner of the vehicle in question, he has falsely been implicated in the present case. Nothing has been recovered from the conscious possession of the petitioner. It is submitted in para 7 of the petition that there was marriage ceremony in the house of petitioner on 13.09.2022 and no public transport was available,



therefore the car was being used for bringing goods from the market and for picking and dropping the incoming guests, by family members of the petitioner, therefore on 14.09.2022 when the co-accused asked for the key of the car, petitioner immediately gave the key to the co-accused assuming that he will buy the goods and come back immediately. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. It is further submitted the other co-accused namely Danish Baig who was apprehend on the spot, has already been granted bail by a co-ordinate Bench of this Court vide order dated 08.05.2023 passed in Cr. Misc. No. 6143 of 2023. Moreover, the petitioner is languishing in judicial custody since 17.05.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration 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 in connection with Halsi P.S. Case No.242 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the



satisfaction of the learned J.M. 1st Class, Lakhisarai.

(Sunil Kumar Panwar, J)

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