

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40550 of 2022

Arising Out of PS. Case No.-248 Year-2022 Thana- KANTI District- Muzaffarpur

MD. GULAM MUSTAFA Son of Md. Anwar Resident of Village -
Madhuban, P.S.- Kanti, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha, Advocate

For the Opposite Party/s : Mr.Navin Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 24-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Kanti P.S. Case No. 248 of 2022 for the offence registered under Sections 25(1-b)a, 26 and 35 of the Indian Penal Code.

The allegation is regarding the petitioner having been apprehended by the police force and upon search one country made pistol loaded with one live cartridge was recovered.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 17.04.2022. The learned counsel for the petitioner has further submitted that this Court may consider the period of incarceration of the petitioner herein and take a sympathetic view of



the matter.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Muzaffarpur West, Muzaffarpur in connection with Kanti P.S. Case No. 248 of 2022.

(Mohit Kumar Shah, J)

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