

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42548 of 2023

Arising Out of PS. Case No.-454 Year-2013 Thana- LAKHISARAI District- Lakhisarai

1. AYSHA BANO W/O ZUBAIR HUSSAIN R/O Mohalla- Manjita House Panjee Manganu, Manglore, Aysha Manzil, P.S- Kabur, Distt.- Manglore (Karnatka).
2. Zubair Hussain S/O Mohammad R/O Mohalla- Manjita House Panjee Manganu, Manglore, Aysha Manzil, P.S- Kabur, Distt.- Manglore (Karnatka).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek regular bail in connection with Lakhisarai P.S. Case No. 454 of 2013 registered for the offence under Sections 420, 467, 468, 471, 120(B) of the IPC and Section 17, 18, 18b, 21, 38, 40 of the U.A.P.A. Act.

3. As per prosecution case, the petitioner are alleged to have indulged in nefarious and terrorists activities who were continuously depositing money in various accounts as per instruction of *Mafia* Daud Ibrahim. These petitioners are arrested from Manglore (Karnataka) on the basis of disclosed made by co-accused persons.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. Their name came into light on the basis of confessional statement of arrested co-accused persons. Neither the petitioners are arrested on spot nor any incriminating article has been recovered from their conscious possession. It is also submitted that there is no sign of the petitioners taken on seizure list and no any consistent material has come against them. The petitioners have no concern with any terrorist groups. Similarly situated other co-accused namely, Ganesh Prasad has already been granted bail by a co-ordinate Bench of this Court vide order dt. 17.6.2014 passed in Cr. Misc. No. 10921 of 2014. It is further submitted that the petitioners are languishing in judicial custody since 16.11.2023.

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 long period of custody of the petitioners, this court is inclined to enlarge the petitioners on bail **after framing of charge, if charge is not framed**. The above named petitioners are directed to be released on bail in connection with



Lakhisarai P.S. Case No. 454 of 2013 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st class, Lakhisarai.

Amandeep/-

(Sunil Kumar Panwar, J)

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