

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46402 of 2023

Arising Out of PS. Case No.-36 Year-2023 Thana- RAMNAGAR District- West Champaran

MD. IRFAN S/O ABDUL HANAN R/O Village- Sabeya Devraj, P.S-
Ramnagar, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Milind Kumar Mishra

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 25(1-
b)a, 26, 35 of the Arms Act.

As per prosecution case, the petitioner was
apprehended on the spot and upon search one country made
pistol, one air gun, five live cartridges, two packets of
cartridges of air gun and five mobiles were recovered from
the room of the petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. The petitioner has no
concern with the alleged recovery and nothing has been



recovered from his conscious possession. He has got no criminal antecedent. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 17.07.2023 passed in Cr. Misc. No. 32117 of 2023. It is further submitted that the petitioner is languishing in judicial custody since 30.01.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Ram Nagar P.S. Case No. 36 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bagaha West Champaran.

(Sunil Kumar Panwar, J)

Manishkumar/-

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