

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49767 of 2023**

Arising Out of PS. Case No.-357 Year-2018 Thana- MUNGER MUFFASIL District- Munger

MD. LOKMAN @ LUKMAN SON OF MD. GAFOOR R/O-MIRJAPUR
BARDAH, P.S.-MUFFASIL, DISTT.-MUNGER

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar Choudhary

For the Opposite Party/s : Mr.Anant Kumar 1

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 11-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 121, 379, 414, 120B/34
of the Indian Penal Code, Sections 25(1-A), 25(1-AA), 25(1-
B)A, 26, 35 of the Arms Act and Section 39 of the U.A.P. Act.

3. As per prosecution case, the petitioner along with
other accused persons are alleged to be indulged in selling
illegal arms to Naxalites and other criminals.

4. It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case due to old dispute. He has committed no offence. Petitioner has not apprehended on spot. The name of the petitioner has come into light, on the basis of confessional statement of co-accused Amna Khatoon, which has got no evidentiary value in the eyes of law. No incriminating articles have been recovered either from the from the conscious possession of the petitioner or from his house. On the basis of suspicion and due to his criminal antecedents, the petitioner has been implicated in the present case. The prosecution witnesses have not been examined till now. He further submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 23.05.2023. passed in Cr. Misc. No. 22537 of 2023. He is languishing in judicial custody since 20.09.2019.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering 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 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the



satisfaction of the learned Additional Sessions Judge-7th,
Munger in connection with Munger Muffasil P.S. Case No. 357
of 2018.

(Sunil Kumar Panwar, J)

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