

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49205 of 2022

Arising Out of PS. Case No.-188 Year-2022 Thana- RAXAUL District- East Champaran

FAIYAZ KHAN S/o Naim Khan Resident of Village- Bada Pareuwa ward no.
1, P.S.- Raxaul (Haraiya O.P.), District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 12-01-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Raxaul P.S. Case No. 188 of 2022, registered for the offence punishable under Section 414 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms Act.

The informant along with the police force was on patrolling duty and during the course thereof, they had apprehended the petitioner and upon search, one loaded country made pistol along with one live cartridge and a motorcycle was seized.



The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 20.4.2022. It is submitted that though the petitioner is an accused in three other criminal cases, but he is on bail in all the said three criminal cases. The learned counsel for the petitioner has further submitted that considering the period of incarceration of the petitioner herein, a sympathetic view be taken.

Per contra, the learned APP 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 materials on record as also considering the fact that the petitioner is languishing in custody since more than eight months, I deem it fit and proper to direct for release of the petitioner on regular bail.



Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Raxaul at Motihari, East Champaran in connection with Raxaul P.S. Case No. 188 of 2022.

(Mohit Kumar Shah, J)

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