

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54645 of 2023

Arising Out of PS. Case No.-85 Year-2023 Thana- SAMASTIPUR District- Samastipur

Md. Dulare S/O Md. Kayum R/O Village- Shekhopur Ps. Warisnagar
(Mathurapur Op), Dist. Samastipur, Bihar-848101

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 399, 402 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms Act.

3. Allegation against the petitioner along with co-accused persons that while they were assembled and preparing for committing offence, the police party raided the place of occurrence and arrested some of them. On search, country made pistols along with huge cash was recovered from co-accused persons. The petitioner is said to have fled away from the place of occurrence who latter on arrested by the police.

4. 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 was not apprehended on spot rather his name transpired in this case on the disclosure made by apprehended co-accused persons. Nothing has been recovered from conscious possession of the petitioner. He has also not concerned with the recovered materials or with the co-accused persons. Moreover, he is languishing in judicial custody since 21.4.2023.

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 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 Samastipur Town P.S. Case No. 85 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 C.J.M., Samastipur.

(Sunil Kumar Panwar, J)

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