

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52209 of 2022

Arising Out of PS. Case No.-173 Year-2021 Thana- SURYAGARHA District- Lakhisarai

MOHAMMED WALI ULLAH @ WALIUULLAH S/o Abdul Rauf R/o village-
Belahi, P.S.- Manigachi, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Adv. Mr. Virendra Kumar, Adv.
For the State	:	Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 02-02-2023 Heard the learned Senior Counsel for the
petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Suryagarha P.S. Case No. 173 of 2021, registered for the offence punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act.

The allegation is regarding the police having intercepted a car from which four miscreants including the petitioner herein were apprehended and upon search, four country made pistol and eight magazines were recovered.

The learned Senior 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 12.8.2021. The learned Senior Counsel for the petitioner has further submitted that although the petitioner was made an accused in one another criminal case, but he has been acquitted in the said case. The learned Senior Counsel for the petitioner has also submitted that the petitioner has been falsely made an accused in the present case, inasmuch as the car in question does not belong to the petitioner, as has been stated in paragraphs no. 10 and 11 of the present petition.

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 Senior Counsel for the petitioner and taking into account the materials available on record as also considering the fact that a categorical statement has been made in the present petition to the effect that the petitioner is not having any concern with the



car in question, inasmuch as he had taken lift for the purposes of going to his destination, apart from the fact that at the moment, he is having a clean antecedent and is languishing in custody since about one and a half years, 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 Chief Judicial Magistrate, Lakhisarai/concerned court in connection with Suryagarha P.S. Case No. 173 of 2021.

(Mohit Kumar Shah, J)

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