

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56577 of 2023

Arising Out of PS. Case No.-94 Year-2023 Thana- SHAMBHUGANJ District- Banka

Md. Nabi Ullah S/O Md. Jainul R/O Village- Mirjapur Bardah, P.S- Munger
Muffasil, Distt.- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravish Mishra

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 12-10-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 25(1-B), 25(1-AA), 25(1-A), 26(1)(2), 35 of the Arms Act.

The prosecution case as per F.I.R is that the S.T.F, Patna and Kolkata under joint operation raided the welding shop of Dinesh Sah and recovered number of instruments for making arms, cartridges, one country made pistol, eleven half prepared pistols, nine live cartridges and other equipment of manufacturing the



arms. The S.T.F apprehended four accused persons including the petitioner.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is not the owner of the place from where recovery has been made. The petitioner has no concern either with the accused persons or the seized incriminating articles. The petitioner is languishing in custody since 05.04.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Moreover, other co-accused persons have been granted bail by a coordinate Bench of this Court vide order dated 23.08.2023 passed in Cr. Misc. No. 54046 of 2023 and other analogous cases.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.



Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Shambhuganj P.S. Case No. 94 of 2023.

(Sunil Kumar Panwar, J)

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