

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53589 of 2023

Arising Out of PS. Case No.-392 Year-2023 Thana- GANDHIMAIDAN District- Patna

MD. FIROZ S/O MD. MUSHAHBDIN R/O VILLAGE- POSUWA,
PATARIA, PS. RIGA, DIST. SITAMARHI. AT PRESENT RESIDING AT
MOHALLA- COLONY MORE KANKARBAGH, PS. KANKARBAGH,
DIST. PATNA. RENTER IN THE HOUSE OF SANTOSH YADAV

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar

For the Opposite Party/s : Mr.Kanhaiya Kishore(App100)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 414 of the Indian Penal
Code.

3. As per prosecution case, the allegation against the
petitioner is that from his possession there has been recovery of
four roll Mig wire of 1.2 mm, Fisher Company, Anchor Lazar
450 piece and two cylinder of fire extinguisher of 6 kg.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. On the basis of suspicion and due to his
criminal antecedents, he has been implicated in the present case.



Nothing incriminating/looted articles have been recovered from the conscious possession of the petitioner. The trial of this case is triable by learned Judicial Magistrate. The petitioner is ready to face trial and there is no chance to hampering and tampering with the evidence of the case and has sufficient custody. He is languishing in judicial custody since 20.05.2023.

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 Court below in connection with Gandhimaidan P.S. Case No. 392 of 2023.

(Sunil Kumar Panwar, J)

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