

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54315 of 2023

Arising Out of PS. Case No.-353 Year-2018 Thana- MUNGER MUFFASIL District- Munger

MD. MURSHID @ SURMA S/O MD. KALIM R/O VILLAGE/MUHALLA-
BAKARPUR, DARIAPUR, PS. MUFFASIL, DIST. MUNGER

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjiv Kumar Singh
For the Opposite Party/s : Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 04-12-2023 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 Sections 121, 379, 414, 120B, 34 and Sections 25(1-A)A, 25(1-AA), 25(1-B)A, 26 and 35 of the Arms Act and Section 39 of the U.A.P. Act.

3. As per prosecution case, the police on information that co-accused Ajmeri Begum has concealed parts of AK-47 rifle near the bank of Ganga reached there and upon search huge quantity kept in a plastic bag recovered/seized.



4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. From the perusal of the FIR, it appears that the name of the petitioner has been surfaced on this case in the confessional statement of other co-accused persons, which has got no evidentiary value in the eyes of law. Neither any incriminating article has been recovered from the conscious possession of the petitioner nor from his house. On the basis of suspicion and due to his criminal antecedents, petitioner has been made accused in this case. He further submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 18.08.2023 passed in Cr. Misc. No. 49824 of 2023. He is languishing in judicial custody since 24.11.2022.

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 the 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 Chief Judicial Magistrate, Munger in
connection with Munger Muffasil P.S. Case No. 353 of 2018.

(Sunil Kumar Panwar, J)

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