

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60493 of 2023

Arising Out of PS. Case No.-141 Year-2023 Thana- BARARI District- Katihar

Md.Asif @ Mohammad Asif@ Md. Asik, S/O Abdul Rahman R/O Bedanda
Nayatola, P.S- Barari, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-10-2023 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 25(1-b), 26 and 35 of the Arms Act and Sections 399, 402 and 414 of IPC.

3. As per prosecution case, police apprehended the petitioner along with other co-accused persons and there has been recovery of some country made pistols along with cartridge and mobile from their possessions. From the possession of this petitioner, one country made pistol, one cartridge and mobile were recovered.

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 due to highhandedness of the



police. Similarly situated other co-accused persons have already been granted bail by the co-ordinate Bench of this Court vide order dt. 04.09.2023 in Cr. Misc. No. 58830 of 2023, order dt. 31.08.2023. in Cr. Misc. No. 55214 of 2023. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 03.05.2023.

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 Barari P.S. Case No. 141 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., Katihar.

(Sunil Kumar Panwar, J)

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