

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65654 of 2022

Arising Out of PS. Case No.-77 Year-2022 Thana- AMARPUR District- Banka

MD. BABLU S/o Mokimuddin @ Md. Mokim R/v- Shobhanpur Katoriya,
P.S.- Amarpur, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 399, 402 of the Indian Penal Code and Sections 25(1-b)a/26 of the Arms Act.

As per allegation in FIR, the police reached the place of occurrence and caught seven accused persons on three motorcycles, who were making preparation for committing loot, the petitioner herein being one of them. Upon search, it is alleged that a country made pistol along with three live cartridges were recovered from the accused persons.



Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has falsely been implicated in the present case. The petitioner has no concern with the alleged recovery of country made pistol or with the co-accused persons. The alleged motorcycle which has been alleged to be recovered from the possession of the petitioner which bona-fide owner is the petitioner and the same has been running in the name of his father. Nothing incriminating article has been recovered from the conscious or constructive possession of the petitioner. Moreover, similarly situated co-accused namely, Chhotu Pandit has already been granted bail by a coordinate Bench of this Court vide order dated 23.8.2022 in Cr. Misc. No. 27154 of 2022. The petitioner is languishing in judicial custody since 8.2.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Amarpur P.S. Case No. 77 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of learned Chief Judicial
Magistrate, Banka.

(Sunil Kumar Panwar, J)

Amandeep/-

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