

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69242 of 2022

Arising Out of PS. Case No.-119 Year-2022 Thana- BARHAT District- Jamui

1. Md. Chhotu Son Of Md. Idrish Resident Of Village - Bokhra, P.S. - Haveli Kharagpur, District - Munger
2. Md. Mukhtar @ Mohammad Mukhtar Son Of Md. Idrish Resident Of Village - Bokhra, P.S. - Haveli Kharagpur, District - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md. Najmul Hodda
		Md. Abdul Mannan Khan
For the Opposite Party/s	:	Mr. Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-02-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 25(1-B)a, 26, 35 of the Arms Act.

The prosecution case in nutshell is that informant, being a police official, received a secret information that two persons were assembled and preparing for commission of offence. From the



possession of petitioner, Md. Chhotu, a mobile phone was recovered and from the possession of petitioner Md. Mukhtar a country made pistol was recovered.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have committed no offence. They have falsely been implicated by the police in the present case. It is also submitted that the motorcycle in question belongs to petitioner. There is no independent witness of the alleged seizure list. There is general and omnibus allegation against the petitioners. It is also submitted that petitioners are languishing in judicial custody since 5.10.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail. The above named



petitioners are directed to be enlarged on bail in connection with Barhat P.S. Case No. 119 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jamui.

(Sunil Kumar Panwar, J)

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