

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81346 of 2023**

Arising Out of PS. Case No.-85 Year-2023 Thana- SAMASTIPUR District- Samastipur

Md.Masoom @ Md.Sahil@ Md. Masum @ Md. Shahil Son Of Md. Jakir @
Md. Jakir Hussain R/O Village- Chakanur, P.S.- Muffasil, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad

For the Opposite Party/s : Mr.Anita Kumari

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 18-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 399 and 402 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of Arms Act.

3. As per FIR, police team raided the place on secret information and on seeing the police party some of the accused persons including this petitioner managed to flee from there but three accused persons were apprehended by the police and from thier possession, huge amount of cash, country made pistols and live cartridges 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. The petitioner was not apprehended on spot and nothing has been recovered from his conscious possession. On the basis of disclosure made by apprehended co-accuse persons, his name has come in this case. Moreover, the petitioner is languishing in judicial custody since 29.08.2023.

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 Samastipur (Town) P.S. Case No. 85 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 Chief Judicial Magistrate, Samastipur.

(Sunil Kumar Panwar, J)

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