

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12889 of 2024**

Arising Out of PS. Case No.-82 Year-2023 Thana- DANDKHORA District- Katihar

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Sheikh Rajjak @ Md. Rajjak Son of Sk. Mahir R/O-Didhoch, P.S.-Pranpur,
Distt.-Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 01-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Dandkhora P.S. case No. 82 of 2023 instituted for the offences
under Sections 413, 414/34 of the Indian Penal Code and 25(1-
b)a, 26 of the Arms Act

3. Prosecution case, in short, is that, on seeing the
police, three accused persons tried to flee away on the
motorcycle but one person was apprehended on the spot



whereas two accused persons including this petitioner managed to flee away. The apprehended person disclosed his name as Sheikh Akash @ Md. Sheikh Akash @ Sheikh Alam. On search, one country-made pistol, one live cartridge, two mobile phones were recovered from the possession of the apprehended person.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case. Petitioner was not apprehended on the spot nor any incriminating material has been recovered from his possession. Petitioner has no concern with the alleged recovery of arms. Learned counsel further submitted that petitioner has been made accused in this case merely on the basis of disclosure made by the accused person who was apprehended on the spot. It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.10.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing



bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dandkhora P.S. case No. 82 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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