

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11032 of 2024

Arising Out of PS. Case No.-189 Year-2023 Thana- NIMCHAKBATHANI District- Gaya

Mahboob Ansari @ Rizwan Son Of Rasid Ansari Resident Of Village-
Makdumpur, P.S.-Balidih, District-Bokaro (Jharkhand)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priya Ranjan

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has 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 Arms Act.

It is a case of recovery of two rifles, 23 live cartridges, one Bindolia loaded with 22 live cartridges, country made pistol loaded with seven live cartridges and several other incriminating articles from the house of co-accused co-accused Shanobar Khan. Petitioner and other co-accused persons were alleged to have



apprehended on spot.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case due to high handedness of police. There is no independent witness of the alleged seizure. Petitioner has no concern either with the alleged recovery or with the other co-accused persons. Nothing incriminating has been recovered from the conscious possession of the petitioner rather the incriminating weapons have been recovered from the dining hall of the co-accused Sanobar Khan and water tank of the said house from which the petitioner is having no concern. The petitioner has no concern either with the alleged recovery or with other co-accused persons. Moreover, the petitioner is languishing in judicial custody since 18.10.2023.

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 as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail, after framing of charge, if not framed, in connection with Nimchak Bathani P.S. Case No. 189 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Gaya.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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