

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12725 of 2024

Arising Out of PS. Case No.-197 Year-2023 Thana- KADWA District- Katihar

Md. Gulzar @ Gulzar S/o Md. Sayeed @ Sk. Shahid R/o Vill - Dherua
Kharbana, P.S. - Hasanganj, Dist. - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 28-02-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is in custody in connection with Kadwa P.S Case No. 197 of 2023 registered for the offences punishable under Sections 411, 413, 414, 461, 382, 379, 461 of Indian Penal Code and Section 25 (1-b)a, 26, 35 of the Arms Act.

3. As per prosecution case, is that police on some secret information that some criminals were committing the offences of loot in the ATM, raiding the said place of occurrence. Seeing the police party,



all the accused persons tried to flee away but two persons were apprehended.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. It is further submitted that petitioner's name surfaced from the confessional statement of the co-accused. It is next submitted that one of the co-accused has already granted bail by the Co-ordinate Bench of this Court *vide* order dated 22.12.2023 passed in Cr. Misc. No. 81101 of 2023. It is also submitted that petitioner is in judicial custody since 16.09.2023.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named 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 learned C.J.M, Katihar in connection with Kadwa P.S Case No. 197 of 2023.

(Ramesh Chand Malviya, J)

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