

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13385 of 2024

Arising Out of PS. Case No.-738 Year-2023 Thana- FORBESGANJ District- Araria

Shahansah @ Shahansah Alam @ Shahanah Son of Sekh Nuruddin @
Nuruddin Resident of Village- Jhirwa Pachhyari, Ward No. 12, P.S.- Simraha,
Dist.- Araria

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Naushaduzzoha, Adv.

For the Opposite Party/s : Mr.Tarun Prasad Mandal, 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 Forbesganj P.S Case No. 738 of 2023 (Special Case No. 69 of 2023) registered for the offences punishable under Sections 406, 420, 467, 468, 471, 413, 414, 120(B) of the Indian Penal Code & under Sections 21(C), 22 of the N.D.P.S Act, under Section 25 (1-b) a, 26, 35 of the Arms Act and under Section 30 (a) of Bihar Prohibition and Excise Act 2018.

3. As per prosecution case, it is case of



recovery of country made katta with live cartridges from a juvenile , pistol made in USA with five live cartridges, blank magazines from the house of Md. Mubarak and also brown sugar like substance, various ATM cards, blank cheques, foreign currency, half bottles of Nepali wine along with other articles.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. It is further submitted that no incriminating article has been recovered from the conscious possession of the petitioner. It is next submitted that petitioner is not named in FIR his name surfaced from confessional statement of the co-accused. Petitioner has got no criminal antecedent as stated in para 3 of the petition. It is also submitted that petitioner is in judicial custody since 09.01.2024.

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 Sessions cum Special Judge, N.D.P.S. Act, Araria in connection with Forbesganj P.S Case No. 738 of 2023 (Special Case No. 69 of 2023).

(Ramesh Chand Malviya, J)

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