

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14565 of 2024**

Arising Out of PS. Case No.-49 Year-2016 Thana- NIMCHAKBATHANI District- Gaya

Umair Khan S/o- Jubair Khan @ Md. Jubair Khan Resident of village -
Horidih, P.S.- Neemchak Bathani, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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

ORAL ORDER

3 11-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Neemchak Bathani P.S. case No. 49 of 2016 instituted for the
offences under Sections 147, 148, 149, 188, 171(c), 323, 379,
307, 353 of the Indian Penal Code and 35, 25(1-b)a, 26, 27 of
the Arms Act .

3. Prosecution case, in short, is that, police officials on
the basis of secret information conducted raid. Seeing the
police, the accused persons tried to flee away but police



officials apprehended five persons. On the basis of disclosure made by the apprehended persons, recovery of 100 live cartridges was made from the house of the co-accused Idrish Khan.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case merely on suspicion. No incriminating article has been recovered from the conscious possession of the petitioner, rather the recovery has been made from the house of the co-accused Idrish Khan who has already been granted bail by a co-ordinate Bench of this Court vide order dated 12.08.2016 passed in Cr. Misc. No. 31212 of 2016. It has been submitted on behalf of the petitioner that the petitioner is in custody since 01.12.2023 and has six criminal antecedents.

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, claim based on party 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 Neemchak Bathani
P.S. case No. 49 of 2016.

(Rudra Prakash Mishra, J)

Alok Verma/-

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