

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28977 of 2024

Arising Out of PS. Case No.-268 Year-2023 Thana- BHARGAMA District- Araria

Md. Sahabuddin S/O Nuruddin R/O Chharrapatti, P.S- Bhargama, Distt.-
Araria.

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajanan Mishra, Advocate

For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP

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

ORAL ORDER

2 22-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bhargama P.S. case No. 268 of 2023 instituted for the offences
under Sections 392 of the Indian Penal Code and charge-sheeted
u/s 392 of the I.P.C. and 25(1-b)a, 26, 35 of the Arms Act.

3. It is alleged that this petitioner along with other co-
accused person looted cash amounting to Rs. 30,500 and mobile
phone from the informant on gunpoint and fled away. It is
further alleged that, on search, two country-made pistols and
thirteen live cartridges were recovered the house of the
petitioner.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Petitioner has not been apprehended on the spot. The name of the petitioner transpired in this case on the basis of the disclosure made by the local people. No incriminating/looted article has been recovered from the conscious possession of the petitioner. He further submitted that the recovery of arms and ammunitions has been shown from the house of the petitioner but the said house belongs to joint family where other family members of the petitioner also reside. Learned counsel further submitted that petitioner has got no concern with the alleged recovery. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.10.2023 and has six criminal antecedents but he is on bail in all the cases.

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 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, ***after framing of charge, if not framed already***, 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 Bhargama P.S. case No. 268 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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