

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33534 of 2024

Arising Out of PS. Case No.-507 Year-2023 Thana- PARBATTI District- Khagaria

Md. Moin @ Md. Moen Son Of Md. Nasur, Resident Of Buktia Bazar Tirasi,
P.S.- Gopalpur, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anup Pandey, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

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

ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Parbatta P.S. case No. 507 of 2023 instituted for the offences under Section 414 of the Indian Penal Code and Sections 25(1-A), 25(1-AA), 25(1-B)A, 26(i)(ii)(iii) and 35 of the Arms Act.

3. Prosecution case, in short, is that there has been recovery of two country made pistols, five live cartridges, 16 bullet and other articles from the house of one, Kailu Sharma.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. The petitioner has no concern with the alleged recovery as well as co-accused person. Only on the basis of suspicion, petitioner has



been implicated in the present case by the police. There is no compliance of Section 100 of the Cr.P.C. Nothing incriminating article has been recovered from the conscious possession of the petitioner. Similarly situated co-accused persons have already been granted bail by this Court vide order dated 26.04.2024 passed in Cr. Misc. No. 32412 of 2024 and Cr. Misc. No. 32133 of 2024. Petitioner is in custody since 06.11.2023 and has no criminal antecedent.

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 as well as the period of custody of the petitioner and fair criminal antecedent, 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 Parbatta P.S. case No. 507 of 2023.

(Rudra Prakash Mishra, J)

lata/-

U		T	
---	--	---	--

