

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37298 of 2024

Arising Out of PS. Case No.-206 Year-2024 Thana- KHAJANCHI HAT District- Purnia

Md. Sartaj Alam Son of Md.Jahir Resident of Village- Lalganj, Ward No.- 05,
P.S.- K.Hat (Maranga), Distt- Purnia,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha, Adv.
For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

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

ORAL ORDER

2 21-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. Learned counsel for the petitioner prays for and is
allowed to make necessary correction in Para-1 & 5 of the
present bail petition.

3. The petitioner seeks bail in connection with K. Hat
(Maranga) P.S. Case No. 206 of 2024 instituted for the offences
under Sections 414, 467, 468/34 of the Indian Penal Code and
Section 25(1-b)a, 26, 35 of the Arms Act.

4. As per prosecution case, the police, on receipt of
secret information, reached at the place of occurrence and saw a
Hundai car and one motorcycle having no number plate. On
seeing the police-party, the miscreants tried to flee away from



there unsuccessfully and were apprehended by the police. On search, the police recovered a country made pistol and a magazine with one live bullet as also three mobile phones from the co-accused Md. Javed and a stolen mobile phone of Realme company from the co-accused Md. Iftikar. It is alleged that the police has recovered a stolen mobile phone of Realme company from the possession of the petitioner. The alleged car and motorcycle were also seized by the police.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case only on mere suspicion. The petitioner has no concern with the alleged occurrence. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner has one criminal antecedent in which he is on bail and is languishing in judicial custody since 29.02.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the petitioner is named in the F.I.R. and there is a confessional statement of the petitioner in which he has stated



that he used to hide and sell stolen and looted articles. The petitioner has also criminal antecedents and, thus, he does not deserve bail.

7. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner as also the nature of offence, let the petitioner, abovenamed, 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 K. Hat (Maranga) P.S. Case No. 206 of 2024.

(Rudra Prakash Mishra, J)

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