

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38994 of 2024

Arising Out of PS. Case No.-12 Year-2024 Thana- KOCHADHAMAN District- Kishanganj

Mustakim @ Md. Mustakim @ Mohammad Mustakim Son Of Late Mahabali
Resident Of Village - Ranipatra, P.S. - Ranipatra, District - Purnea

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Adv

For the Opposite Party/s : Mr. Harendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 03-10-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kochadhaman P.S. Case No. 12 of 2024 dated 02.02.2024 registered for the offences punishable u/s 353, 307 read with 34 of the Indian Penal Code and Section 27 of the Arms Act. And Section 3/4 of the Explosive Substance Act.

3. As per the prosecution case, on 02.02.2024 during night patrolling, when the police force reached Budhimari Karmkar tola, the unknown miscreants who were armed with weapons, fired bullet and threw bomb upon the police. It is further alleged that the one police personnel, namely, Laltu



Kumar got injured while he was stopping the dacoity which was being committed by the unknown miscreants in the house of one Manish Karmkar.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has transpired merely on the basis of confessional statement of the co-accused. T.I.P has not been conducted by the prosecution. Similary situated co-accused person has already been granted bail by this Court vide order dated 28.08.2024 passed in Cr. Misc. No. 46249 of 2024. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has seven criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 04.03.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation and the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Kishanganj in



connection with Kochadhaman P.S. Case No. 12 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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