

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49208 of 2024

Arising Out of PS. Case No.-106 Year-2024 Thana- MAJORGANJ District- Sitamarhi

Md. Shakeel @ Md. Shakil Son Of Muhmad Mustafa R/O- Village- Ward No. 02, Dumari Kala, P.S.- Majorganj, Distt- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ayush Kumar, Advocate
For the Opposite Party/s : Mr. Arvind Kumar Pandey (App.84)

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 19-07-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Majorganj P.S. Case No. 106 of 2024, instituted for the offences punishable under Sections 25(1-b)a, 26/35 of the Arms Act.

3. The prosecution case, in short, is that, one country made pistol and two cartridges have been recovered from the house of co-accused Chhotu Pandey.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the alleged recovery has been



made from the house of co-accused Chhotu Pandey. The petitioner has got no concern with the alleged recovery of arms. The petitioner is in custody since 29.03.2024 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted bail by this Court vide order dated 26.06.2024 passed in Cr. Misc. No. 44230 of 2024 and order dated 12.07.2024 passed in Cr. Misc. No. 48538 of 2024.

5. Learned APP 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, taking into account the period of custody undergone by the petitioner and claim based on parity, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Majorganj P.S. Case No. 106 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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

