

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55754 of 2024

Arising Out of PS. Case No.-92 Year-2024 Thana- PIPRA District- East Champaran

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AFSAR HUSSAIN S/O AKBAR MIYA @ AKBAR HUSSAIN R/O
VILLAGE- BESAKHAWA, P.S- KESARIYA, DISTT.- EAST
CHAMPARAN AT MOTIHARI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, APP

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

ORAL ORDER

2 02-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Pipra
P.S. Case No. 92 of 2024 instituted for the offences under
Sections 399, 402, 413, 414 of the Indian Penal Code and 25(1-
b)a, 26, 35 of the Arms Act.

3. Prosecution case, in short, is that, police, on the
basis of secret information raided the place and apprehended
three accused persons including this petitioner. It is further
alleged that one mobile phone and one motorcycle having no
registration number was recovered from the petitioner.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the recovery of arms and ammunitions. Learned counsel further submitted that the recovered mobile phone and motorcycle from the petitioner belongs to the petitioner itself (as mentioned in para-7 of the present bail application). The co-accused person has already been granted bail by this Bench vide order dated 05.07.2024 passed in Cr. Misc. No. 47932 of 2024. It has been submitted on behalf of the petitioner that the petitioner is in custody since 29.03.2024 and has six criminal antecedents. There is no compliance of Section 100 of the Cr.P.C.

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, claim based on parity 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 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 Pipra P.S. Case No.
92 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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