

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54581 of 2024

Arising Out of PS. Case No.-102 Year-2024 Thana- MIRGANJ District- Gopalganj

Ebadat Hussain Son of Shahabuddin Miyan R/O Vill.- Bari Isar, P.o.and P.s.-
Hathua, Dist.- Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Sager Sharma, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 27-09-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. This is an application for regular bail on behalf of the petitioner for the offences alleged under Sections 414, 420, 467, 468, 471/34 of the Indian Penal Code and Sections 25(1-B)a, 26 and 35 of the Arms Act, registered in connection with Mirganj P.S. Case No. 102 of 2024.

3. As per prosecution case, on secret information the police raided the place of occurrence where from co-accused Vishwash Rawat was arrested and on search some incriminating articles were recovered from his possession.

4. The learned Counsel for the petitioner has submitted that he has been falsely implicated in this case and have committed no offence. Petitioner is not apprehended on spot rather the name of the petitioner figured in this case merely on the basis of confessional statement of apprehended co-accused. Neither any incriminating article nor any motorcycle



has been recovered from the possession of the petitioner. He further submitted that one motorcycle has been recovered behind the house of co-accused Akash Kumar not from his possession. Petitioner is a person of clean antecedent and he is in custody since 17.03.2024.

5. Learned APP for the State has opposed the prayer of bail.

6. Considering the above facts and circumstances of the case as well as clean antecedent of these petitioner, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Mirganj P.S. Case No. 102 of 2024, subject to the condition that the petitioner shall co-operate in the disposal of trial and make himself available as and when required by the Court.

7. If it is found that petitioner is involved in any other case except the present one then the trial Court will be at liberty to cancel his bail bond.

(Nawneet Kumar Pandey, J)

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