

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66420 of 2024**

Arising Out of PS. Case No.-261 Year-2024 Thana- SAKRA District- Muzaffarpur

Md. Azad @ Md. Tamane @ Mohammad Azad @ Tamane Son of  
Mohammad Mansur @ Md. Mansur Resident of Village - Sabaha (Sabha),  
P.S.- Sakra, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mrs. Nitu Kumari, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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

ORAL ORDER

4      18-12-2024                      Heard learned counsel for the petitioner, learned  
APP for the State and perused the case diary.

2. The petitioner seeks bail in Sakra P.S. Case No. 261  
of 2024, instituted for the offences punishable under Sections  
399, 402, 411, 412, 414 of the Indian Penal Code, Sections  
25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, one loaded  
country-made pistol has been recovered from the possession of  
the petitioner.

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 petitioner has got no concern with the alleged recovery of arms. The petitioner is in custody since 14.05.2024 and has got one criminal antecedent. There is no compliance of Section 100 of Cr.P.C. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 14.11.2024 passed in Cr. Misc. No. 61506 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 and taking into account 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sakra P.S. Case No. 261 of 2024.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

