

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74053 of 2023

Arising Out of PS. Case No.-188 Year-2022 Thana- BARIYARPUR District- Munger

Md. Ejaz @ Md. Aijaz @ Aijaz Son Of Md. Safid Mansuri @ Kailu Mansuri
Resident Of Village Ghorghat, Ps Sultanganj, Distt - Bhagalpur (WRONGLY
Described As R/O Vill - Ghorghat, P.S. - Bariarpur, Distt. - Munger In F.I.R)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 25(1-A), 25(1-AA),
25(1-B)A, 26(i)(ii)(iii), 35 of Arms Act.

It is a case of recovery of one country made
pistol, 2 semi prepared country made pistol and other
incriminating articles used for the preparation of said
arms from Ghorghat Bahiyar area.

It is submitted by learned counsel for the



petitioner that the petitioner is innocent and he has falsely been implicated in the present case due to high handedness of police. There is no independent witness of the alleged seizure. Neither the petitioner is apprehended on spot nor anything incriminating has been recovered from his conscious possession. The petitioner has no concern either with the alleged recovery or with the place of seizure. It is also submitted that petitioner is languishing in judicial custody since 19.07.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail and submitted that petitioner is identified as person fleeing away from the place of seizure along with other persons.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail.



The above named petitioner is directed to be enlarged on bail in connection with Bariyarpur P.S. Case No. 188 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Munger.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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