

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77860 of 2023

Arising Out of PS. Case No.-105 Year-2023 Thana- BARGAINIA District- Sitamarhi

FAIJAN MANSURI @ CHHOTU S/o- NASIM MANSURI Village- Chakwa
W.No-8, Ps- Bairstania Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar, Adv.

For the Opposite Party/s : Mr.Jagdhari Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 03-04-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bairstaniya P.S. Case No. 105 of 2023 dated 27.04.2023 registered for the offences punishable u/ss 399, 402 and 414 of the Indian Penal Code and sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, one country made loaded pistol having .315 bore live cartridge was recovered from the possession of the co-accused Avinash Kumar. The petitioner was caught red handed with the motorcycle and two pieces of .315 bore live cartridges. It is further alleged that the petitioner and the other co-accused persons were assembled for making preparation to commit robbery in the Bandhan Bank.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. The co-accused person has already been granted regular bail by this court vide order dated 13.10.2023 passed in Cr. Misc. No. 65091 of 2023. The petitioner has three criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 28.04.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Sitamarhi in connection with Bairganiya P.S. Case No. 105 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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