

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84586 of 2024

Arising Out of PS. Case No.-84 Year-2024 Thana- MADHUBAN District- East Champaran

Md. Mahmood Son of Late Sahu Mian @ Md. Sahu Resident of Village-
Gardiya (Garahiya) ,P.S. - Madhuban (O.P. Gadiya), District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh

For the Opposite Party/s : Mr.Uday Chand Prasad

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

ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Madhuban (Garhiya) P.S. Case No. 84 of 2024 dated 01.03.2024
registered for the offences punishable under Sections 411, 413,
414, 420, 467, 468, 471, 120B read with Section 34 of the I.P.C.
and Sections 25(1B)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, police received secret
information about the viral photograph on Whatsapp of a person
with an arm. They proceeded for inquiring the matter and in due
course two persons on a motorcycle namely Md. Shabab and
Md. Mahmood (the petitioner) tried to flee away on seeing
police but they were apprehended. On search, one live cartridge



was recovered from the co-accused and one country made pistol was recovered from the petitioner, Md. Mahmood. On interrogation, they disclosed that they are the members of the group who are involved in committing loot and theft of vehicle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no concern with the alleged recovery. No incriminating article has been recovered from the conscious possession of the petitioner. The co-accused person has already been granted regular bail by this court vide order dated 29.08.2024 passed in Cr. Misc. No. 55800 of 2024. The petitioner has three criminal antecedents as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 02.03.2024.

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, East Champaran, Motihari in connection with



Madhuban (Garhiya) P.S. Case No. 84 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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