

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.321 of 2024

Arising Out of PS. Case No.-13 Year-2022 Thana- BAJPATTI District- Sitamarhi

Md. Ishteyaque Nadaf @ Md. Ishteyaque Mansoori @ Md. Isteyak S/o Harun Nadaf @ Harun Mansuri R/o village-Bhalhi, P.S-Bathnaha, District-sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 399, 402, 413, 414 of the Indian Penal Code, Sections 8, 20(b)((ii)(c), 22 of the NDPS Act and Sections 25(1-b)a, 26, 35 of Arms Act.

3. As per prosecution case, some miscreants were apprehended by police party and 1.6 Kg *charas* is said to have been recovered from possession of co-accused Md. Gulab Mansuri and 1.4 kg *charas* was recovered from Naseem Nadaf. Several stolen materials have also been recovered from their conscious possession. Apprehended persons disclosed the name of the petitioner as their associate.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has not been apprehended on spot. His name came into light on the disclosure of co-accused persons who were apprehended on spot. He has no concern with the seized materials or with the co-accused persons. No any contraband material or incriminating article has been recovered from conscious possession of the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 3.7.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner has got eleven criminal antecedents.

6. Considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bajpatti P.S. Case No. 13 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Sitamarhi.

(Sunil Kumar Panwar, J)

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