

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86414 of 2023

Arising Out of PS. Case No.-3 Year-2023 Thana- BAUGHAT District- Sheikhpura

Md. Danish Shah S/O Md. Gaffar Shah R/O Village- Arsar, P.S- Jamui, Distt.-
Jamui.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Nandan Prasad

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-01-2024 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), 35 of Arms Act.

As per allegation in F.I.R., the petitioner was
apprehended on spot along with other co-accused
persons. On search, one mobile was recovered from the
petitioner and other incriminating articles were recovered
from other co-accused persons.

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. The petitioner has no concern either with the alleged recovery or with other co-accused persons. There is no independent witness of the alleged seizure. It is also submitted that petitioner is languishing in judicial custody since 19.08.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated several co-accused persons have been granted bail by this Court and co-ordinate Bench of this Court

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

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 Baughat P.S. Case No. 03 of



2023 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 J.M., 1st Class, Sheikhpura.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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