

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1178 of 2024

Arising Out of PS. Case No.-435 Year-2023 Thana- PHULPARAS District- Madhubani

NAWAB JAN S/O DILAWAR HUSSAIN R/O VILLAGE- JAHALIPATTI,
P.S- GHOGHARDIHA, DISTT.- MADHUBANI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Advocate Mr. Ravi Prakash, Advocate Mr. Udeshya Kumar Yadav, Advocate
For the Opposite Party/s	:	Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 21-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Phulparas P.S. Case no.435 of 2023 registered under sections 399 and 402 of the Indian Penal Code and sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, the informant states that on having received information about the accused persons having gathered and planning to give effect to an occurrence, it is stated that a raid was conducted and accused persons caught. From the possession of the petitioner, a loaded country made pistol and a stolen motorcycle was recovered besides other articles from other accused persons.



4. Learned counsel for the petitioner submits that no incriminating article has been recovered from the possession of the petitioner. He has been falsely implicated in the case because of his antecedents. He is in custody since 22.8.2023 and chargesheet has been submitted in the case.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner, the petitioner having been caught at the place of occurrence and the incriminating articles recovered from his possession together with the petitioner having antecedents as stated in paragraph no.3 of the petition, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Liberty is granted to the petitioner to renew his prayer for bail after completing one year in custody.

(Partha Sarthy, J)

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