

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1743 of 2025

Arising Out of PS. Case No.-154 Year-2024 Thana- FALKA District- Katihar

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Md. Azad Son of Late Md. Habib R/O Mohalla- Fuldovi Muslim Tola, Ward
No. 7, P.S.- Falka, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh, Advocate
For the Opposite Party/s : Mr.Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 28-02-2025 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 126 (2), 115(2), 308(5), 352, 3(5) of the BNS and Section 25 (1-b)a, 26 of the Arms Act.

3. The case of the prosecution is that on 27.08.2024, the petitioner was walking on the road, at that time, Md. Azad (the petitioner herein) started abusing him and asked for giving '*rangdari*' and when the informant objected, Md. Azad pointed gun on the informant but anyhow, he escaped from the place of



occurrence. It is further alleged that Md. Azad assaulted the informant with fists and slaps. It is further alleged that in course of search, 18 cartridges were recovered from the possession of the co-accused, Masud Alam.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that the petitioner is neither apprehended on the spot nor anything has been recovered from the possession of the petitioner. It is further submitted that co-accused Masud Alam has since been extended the privilege of bail vide order dated 17.02.2025 passed in Cr. Misc. No. 88653 of 2024 from whose possession 18 cartridges were recovered. The case of this petitioner stands on better footing. Moreover, the petitioner is languishing in judicial custody since 04.10.2024

5. Learned APP appearing for the state has opposed the prayer of regular bail stating that the petitioner has one criminal antecedent in which he is on bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Falka P.S. Case No. 154 of 2024 on



furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Katihar.

(Ashok Kumar Pandey, J)

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