

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19282 of 2025

Arising Out of PS. Case No.-64 Year-2024 Thana- Salmari District- Katihar

Md. Mustakim Son of Md. Muzahir Alam @ Mujahid Alam Resident of
Village - Nasirganj Nekula, P.S. - Balia Belon, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Musowir

For the Opposite Party/s : Mr.Shailendra Kumar Singh

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

ORAL ORDER

3 09-07-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Salmari P.S. Case No. 64/2024 dated 13.09.2024 registered for the offence punishable u/s 309(4) of the B.N.S. and Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, three miscreants ridden on the motorcycle are alleged to have intercepted the informant and snatched the bag containing ornaments on the point of pistol. In the meantime, one miscreant was apprehended by the nearby people whereas the other two miscreants succeeded to flee away from the place of occurrence. Further, on search of the apprehended person, namely, Md. Armaan, a loaded pistol, a *desi katta* and a motorcycle were recovered.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence. The apprehended person has disclosed the name of the petitioner. The other co-accused person has already been granted bail by this court *vide* order dated 03.03.2025 passed in Cr. Misc. No. 3535/2025. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 08.10.2024.

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, Katihar in connection with Salmari P.S. Case No. 64/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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