

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38552 of 2025**

Arising Out of PS. Case No.-66 Year-2025 Thana- SUPAUL District- Supaul

Md Sahadat @ Sahadat S/O Late Md Zahir @ Sadik @ Md Savdik @ Late
Md Jahir Resident of village - Chauhatta, Ward No. 05, Police Station -
Kishanganj, Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun, Adv

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection with
Supaul P.S Case No. 66/2025 registered for the offences
punishable under Sections 310(4), 310(5) of BNS and 25(1-b)a,
26, 35 of Arms Act.

3. As per allegation in the FIR, petitioner and other
accused persons were going to commit crime in the tempo
bearing Registration No. BR-50-P8390 but police party
apprehended them. From the possession of the petitioners on



mobile phone, one country made pistol with two live cartridge was recovered and from the back of the tempo various incriminating article has been recovered from the black color bag.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that no incriminating article has been recovered from the conscious possession of the petitioner. He further submits that he was just a passenger on the alleged *tempo* bearing Registration No. BR-50-P8390. It is also submitted that petitioner is in judicial custody since 11.02.2025 having one criminal antecedent.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR and impugned order dated 16.04.2025, it appears that nothing has been recovered from the conscious possession of the petitioner and he has nothing to do with the alleged bag which has been recovered from the backside of the tempo and considering all aspects of the matter and submissions made on behalf of the learned counsel for the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two



sureties of the like amount each to the satisfaction of learned
Chief Judicial Magistrate, Supaul in connection with Supaul P.S
Case No. 66/2025.

(Ramesh Chand Malviya, J)

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