

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2347 of 2025

Arising Out of PS. Case No.-259 Year-2024 Thana- AMAUR District- Purnia

Hannan @ Md. Hannan S/O Abdul Kayum @ Kalyug Village- Majhuwa PS-
Amour Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Anil Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 14-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Amour
P.S. Case No. 259 of 2024 instituted for the offences under
Sections 399, 402 of the Indian Penal Code and Section
25(1-b)a, 26/35 of the Arms Act.

3. As per prosecution case, the police has recovered
one country-made pistol with empty magazine from the
possession of the petitioner.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has committed no offence as
alleged against him and has falsely been implicated in the



present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has one criminal antecedent in which he is on bail and is languishing in judicial custody since 30.06.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. Learned counsel for the petitioner again submits that the co-accused has been granted bail by this Court vide order dated 16.01.2025 passed in Cr. Misc. No. 89958 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the prayer for bail being based on parity, let the petitioner, abovenamed, 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 Court below/concerned
Court in connection with Amour P.S. Case No. 259 of 2024.

(Rudra Prakash Mishra, J)

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