

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6328 of 2015

Arising Out of PS.Case No. -117 Year- 2013 Thana -CHIRAIYA District- EAST CHAMPARAN
(MOTIHARI)

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1. Taukir Alam @ Tokir Alam son of Gayasuddin Ansari
2. Laddu @ Liddu @ Zahid Hussain son of Md. Wasim, Both residents of
village- Rampur Bheriyahi, P.S.- Chiraiya, District- East Champaran

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Umesh Chandra Verma

For the Opposite Party : Mr. Umesh Lal Verma (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL

ORAL ORDER

4 02-07-2015

Heard both sides.

The two petitioners herein apprehend their arrest in connection with Chiraiya P.S. case no. 117/2013, registered under Section 25(1-B)A and 26 of the Arms Act.

It has been submitted that they are not named in the First Information Report which was lodged against one Ajim Ansari who was found possessed of country made pistol with cartridge and from the confessional statement of Ajim Ansari the name of the petitioners surfaced in the present case. Apart from the confessional statement of the arrested accused there is no recovery of any fire arm or any other incriminating article from the possession of the petitioners. In similar fashion, both the accused persons were made accused in one other case in which they have been granted anticipatory bail.

In the facts and circumstances of the case, let the petitioners, named above, in the event of their arrest/surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Sikrahana, East Champaran at Motihari in connection with Chiraiya P.S. case no.117 of 2013,G.R. case No. 630 of 2013, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with following conditions:-

- (i) One of the bailors in each case shall be the own/close family member of the petitioners.
- (ii) As soon as the charges are framed the petitioners shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioners and secure their arrest in accordance with law.

Shyam/-

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(Kishore Kumar Mandal, J)