

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20577 of 2015

Arising Out of PS.Case No. -346 Year- 2014 Thana -SIWAN CITY District- SIWAN

=====

1. Md. Abbas Mian Son of Shri Maqsood Mian, Resident of Village - Mahuwari (Bichla Tola), Police Station- Siwan (Mufassil), District - Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amir Alam

For the Opposite Party/s : Mr. Bharat Lal(App)

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-06-2015

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner apprehends arrest in a case under section 399 and 402 of the Indian Penal Code and section 25(1-b)a 26 and 35 of the Arms Act.

The informant has alleged in the F.I.R. that on the alleged date and time of occurrence he got a secret information that some miscreants have assembled at the Registry Kachahri and are making plan to commit crime. When the informant along with other police personnel reached at the Kachahri, they found some people standing in a suspicious manner. The police arrested two persons and on their search a loaded country made Pistol, a mobile and other articles were recovered. However, the petitioner was not apprehended at the spot.

It has been submitted on behalf of the petitioner that though the petitioner has been named in the F.I.R. but was not

apprehended at the spot. There has been no recovery of any incriminating article or any fire arm from the possession of the petitioner. The petitioner is said to have been named in the F.I.R. on the statement of co-accused and he has been made accused in this case due to enmity with other accused persons who have falsely implicated him in the present case.

On behalf of the State, it has been submitted that the petitioner has been named by the co-accused in the present case.

Considering the facts aforesaid, in the event of arrest or surrender of the petitioner, above named, within four weeks from the date of receipt/production of a copy of this order, the court below shall enlarge him on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Siwan Town P.S. Case No. 346 of 2014, subject to all the conditions laid down under section 438(2) of the Code of Criminal Procedure, 1973.

(Sudhir Singh, J)

Amin/-

U			
---	--	--	--