

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43313 of 2014

Arising Out of PS.Case No. -173 Year- 2013 Thana -PRANPUR District- KATIHAR

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Afsar Son of Late Hanif Resident of Village-Jamra Ratanpur, P.S.-
Amdabad, District-Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Sanjay Kr. Tiwary No.1 (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 16-04-2015 Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner apprehends his arrest in connection
with Pranpur (Roshna) P.S. Case No. 173 of 2013 registered for
the offences punishable under Sections 399, & 402 of the Indian
Penal Code and Section 25 (1-b)a, 26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in the present case by his
own brothers because he had involvement in illegal activities. It
is further submitted that the co-accused, namely, Shahjehan, who
was apprehended by the police, has disclosed the name of the
petitioner and other brothers, who are his own blood brothers. It is
further submitted that fire arms was recovered from the possession

of co-accused, namely, Shahjehan and not from the possession of the petitioner.

Considering the aforesaid submissions and the fact that petitioner has no criminal antecedent except one in which petitioner has been acquitted, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of two weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Katihar in connection with Pranpur (Roshna) P.S. Case No. 173 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C..

(Anjana Mishra, J)

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