

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52229 of 2015

Arising Out of PS.Case No. -218 Year- 2015 Thana -ALAMGANJ District- PATNA

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1. Md. Danish, Son of Anwar Qurashi, resident of Mohalla- Mirshikar Toil,
Police Station:- Alamganj District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Opposite Party/s : Mr. Nitya Nand Tiwary (App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 11-12-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Alamganj P.S. Case no. 218 of 2015 for the offences alleged under
Sections 25(b-1) a, 26 and 35 of Arms Act.

The prosecution case, in brief, as per the allegation of
the informant, Akil Ahmad, Police Inspector-cum-Officer-in-
charge of Alamganj Police Station that he along with police team
on secret information arrived at the place of occurrence and saw
two persons, namely, 1. Md. Chhatu @ Shavir Quraishi and 2.
Md. Dil Fatah @ Dillu, who were riding a Pulsar Motor Cycle
bearing no. BRO 1AM 12924 near Kathak Tal under the P.S.
Alamganj and both above named persons were searched. On



search, it was found that one country-made pistol from left waist and one pistol from right waist of Md. Shavir Quraishi @ Chhatu were seized and on opening, it was found that khokha of 315 bores fitted in country-made pistol and two live cartridges were found in the pistol. It is further alleged that 10 cartridges were recovered from right pockets of the said Md. Sabbir and on asking, they disclosed their names and did not show any licence or paper regarding the seized arms and seizure list was prepared. It is further alleged that on query they disclosed the names of escaped third person, who had fled away.

It has been submitted by the learned counsel for the petitioner that the petitioner has clean antecedent as is evident from para 3 of the petition and his name has figured on the confessional statements of the other two co-accused. It has further been submitted by the counsel for the petitioner that the confessional statement of co-accused has no evidentiary value in the eye of law.

From perusal of the case diary, it is evident that no specific overt act has been attributed against the petitioner.

Be that as it may, let the above named petitioner, in the event of his arrest/surrender before the court below within a period of six weeks from today, be released on bail on furnishing

bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfactions of learned A.C.J.M., Patna City in connection with Alamganj P.S.Case no. 218 of 2015, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Nilu Agrawal, J)

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