

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36252 of 2014

Arising Out of PS.Case No. -82 Year- 2014 Thana -SABOUR District- BHAGALPUR

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Md. Wali Ahmad @ Md. Annu son of Late Md. Mokimuddin, resident of
village- Rajpur, P.S. Sabour, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. M.K.Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 11-02-2015

Heard the parties.

The petitioner apprehends his arrest in a criminal prosecution registered under Sections 25(1-B) a/26 of the Arms Act.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is not named in the F.I.R. vide Annexure-1 as an accused. It is further submitted that the co-accused, who was named in the F.I.R., has already been granted anticipatory bail by the learned Sessions Judge, Bhagalpur. It is further pointed out that though the petitioner was earlier made an accused in some other criminal cases, but he was acquitted in all those cases, which have been mentioned in paragraph-3 of the present application.

In view of the aforesaid submissions, the prayer for anticipatory bail is allowed, subject to verification by the learned Magistrate that no other criminal case is still pending against the petitioner, except the present one.

The above named petitioner is hereby directed to surrender in the court below within a period of four weeks from

today, whereafter he shall be granted provisional bail for some period on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Bhagalpur in connection with Sabour P.S. Case No. 82 of 2014, subject to the condition as laid down under Section 438(2) of the Cr. P. C. . If on verification of the records it is found that he is not an accused in any other criminal case, except the present one, then his provisional bail shall be confirmed, but if it is found that some other criminal case is also pending against the petitioner, except the present one, then he shall be taken into custody and thereafter his prayer for bail shall be considered afresh in accordance with law.

(Birendra Prasad Verma, J)

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