

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20540 of 2015

Arising Out of PS.Case No. -32 Year- 2015 Thana -MAIRWA District- SIWAN

Basir Nut S/O- Anwar Nut, Resident of Village- Mairwa Tola Harpur, P.S.-
Mairwa, District- Siwan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhakar Singh

For the Opposite Party/s : Mr. Arun Kumar Pandey(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-06-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in connection with Mairwa P.S.Case No. 32/2015 instituted under Sections 25(1-b)a/26 of Arms Act.

As per the prosecution the main accusation against the present petitioner is of being a member of accused persons in whom two accused persons were caught hold by the police personnel with country made pistols and cartridges and allegedly the present petitioner fled away from the place of occurrence.

It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent. It has further been submitted that the petitioner was not present at the spot. It has also been submitted that there is no recovery of fire arms from the

conscious possession of the petitioner. It is also submitted that the name of the petitioner has come on the basis of the statement made by the co- accused before the police.

It has been submitted on behalf of the State that the petitioner is named in the FIR on the basis of the statement made by the co-accused.

Considering the aforesaid facts, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Siwan in connection with Mairwa P.S.Case No.32 of 2015, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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