

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.40282 of 2014**

Arising Out of PS.Case No. -23 Year- 2014 Thana -KOTHI District- GAYA

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Ainul Mian, Son of Alimuddin Mian, Resident of Village - Bikua, P.S. -  
Dumariya, Distt. - Gaya

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rashid Izhar, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh(APP)

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

8      31-08-2015                      Heard learned counsel for the petitioner and the  
  
learned counsel for the State.

The petitioner is apprehending his arrest in connection with Kothi P.S. Case No.23 of 2014 for allegedly having committed the offence under Sections 399 and 402 of the Indian Penal Code and Sections 25(1-B)A/26/35 of the Arms Act.

It is submitted by the learned counsel for the petitioner that save and except the confessional statement of the co-accused under Section 161 Cr.P.C., there is no cogent materials on the record to connect the petitioner with the alleged recovery. In fact, there is no recovery of any arms from the possession of this petitioner.

Considering the aforementioned facts and circumstances and that the petitioner has clean antecedents, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, 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 the learned Sub-Divisional Judicial Magistrate, Sherghati, Gaya, in connection with Kothi P.S. Case No.23 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Anjana Mishra, J)**

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