

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5442 of 2016

Arising Out of PS.Case No. -81 Year- 2000 Thana -TARAPUR District- MUNGER

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MD. AFROJ @ SK. MAHFOOZ @ MD. SHEIKH MAHFUJ son of Md.
Kamal resident of village-Asha Jorari, P. S.-Tarapur, District-Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-03-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 25(1-B)A, 26(2) and 35 of the Arms Act.

Allegation against the petitioner is that during raid from the house of petitioner unfinished articles used in manufacturing of pistol and lethal weapons were recovered.

It is submitted on behalf of the petitioner that he has got no criminal antecedent. He has falsely been implicated in the present case. There is no recovery from the conscious possession of the petitioner. There is no compliance of Section 100 of the Code of Criminal Procedure in the present case.

On behalf of the State, it is submitted that petitioner is named in the F.I.R. and arms were recovered from the house of the petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner, same is rejected.

Any how, if petitioner surrenders in the court below, i.e., learned C.J.M., Munger, in connection with Tarapur P. S. Case no. 81 of 2000 within a period of six weeks from the date of receipt of

a copy of this order and pray for regular bail, same shall be considered and disposed of on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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